

Proposed Plan Change 49

Open Spaces

SUMMARY OF DECISIONS SOUGHT | NOVEMBER 2021



Guide to Submission Summary

The following format is used to summarise submissions received on Proposed Plan Change 49:

Submission Point	Provision	Decision Sought	Reasons
Submitter xx			
S1.1			

These submissions are ordered by submitter number. Each decision requested by a submitter is individually listed (SX.X)

The accompanying volume "Submissions on Proposed Plan Change 49" contains full copies of the submissions received on Proposed Plan Change 49. Where the submitter proposes an amendment to the proposed new or existing text or provision, the amendment proposed by the submitter is shown double underlined. Where the submitter proposes the deletion of proposed new or existing text, this is shown ~~double strikethrough~~.

Making a Further Submission

Clause 8 of the First Schedule of the Resource Management Act outlines the persons that may make a further submission, being:

- (a) any person representing a relevant aspect of the public interest; and,
- (b) any person that has an interest in the proposed plan greater than the interest that the general public has; and
- (c) the local authority itself.

A further submission must be in support of or in opposition to the submissions that have already been made and which are summarised in this document.

Further submissions should be made in writing, in general accordance with Form 6 of the Resource Management Act (Forms, Fees, and Procedure) Regulations 2003. Copies of Form 6 are available from:

- Upper Hutt City Council Offices, Level 1 Reception, Civic Administration Building, 838- 842 Fergusson Drive, Upper Hutt
- Upper Hutt Library, 844 Fergusson Drive, Upper Hutt
- Pinehaven Branch Library, corner of Pinehaven Road and Jocelyn Crescent, Pinehaven, Upper Hutt
- On the Plan Change webpage at upperhuttcity.com/pc49

Further submissions may be lodged in the following ways:

Online	letskorero.upperhuttcity.com	Email	planning@uhcc.govt.nz
In Person	Upper Hutt City Council Offices Level 1 Reception Civic Administration Building 838- 842 Fergusson Drive Upper Hutt	Post	Proposed Plan Change 49 Upper Hutt City Council Private Bag 907 Upper Hutt 5140

Submission Point	Provision	Decision Sought	Reasons
Submitter 1: Graham Bellamy			
S1.1	Proposed Natural Open Space Zoning	Rezone the Silverstream Spur to Natural Open Space	The submitter states that the Silverstream Spur has the potential to be of ecological importance, providing a link between the Western and Eastern sides of the Hutt Valley, allowing for wildlife migration, and that the area should be developed as a native fauna reserve for the future public use.
S1.2	Proposed Natural Open Space Zoning	Rezone the Mangaroa Wetland to Natural Open Space	The submitter states that the Mangaroa Wetland is an important wetland nationally, and should be developed as a natural area and become a public nature reserve, being set aside for future generations.

Submission Point	Provision	Decision Sought	Reasons
Submitter 2: Pinehaven Tennis Club			
S2.1	Pinehaven Tennis Club Proposed Zoning	Amend proposed zoning to rezone Pinehaven Tennis Club from Open Space to Sport and Active Recreation	The submitter is concerned the height limits and floor area allowances under the Open Space Zone will not allow for the rebuilding of the existing facilities (which exceed the proposed standards) without going through the Resource Consent Process.
S2.2	Open Space Zone height and floor area standards (OSZ-S1, OSZ-S2, OSZ-S4)	Alternatively if zoning is not changed, provisions be added to make an exception for the Pinehaven Tennis Club to enable existing light towers, and an increase in the allowable size limit for the structure of the clubhouse.	As above.

Submission Point	Provision	Decision Sought	Reasons
Submitter 3: Jonathan Board			
S3.1	Proposed Open Space Zoning	Rezone the Silverstream Spur as Open Space	The submitter considers that the Silverstream Spur should be protected from residential development and should be developed for conservation and recreation purposes.

Submission Point	Provision	Decision Sought	Reasons
Submitter 4: Doug Fauchelle			
S4.1	Proposed Natural Open Space Zoning	Rezone the Silverstream Spur as Natural Open Space.	The submitter considers that this is an iconic landscape that defines the entry to Upper Hutt.

Submission Point	Provision	Decision Sought	Reasons
Submitter 5: Helen Chapman			
S5.1	Proposed Natural Open Space Zoning	Amend proposed zoning to rezone Lot 2 DP 55611 WN25C/378 [land adjacent to Kurth Crescent Reserve] from sport and active recreation Natural Open Space zone.	The submitter considers that the site is steep and unusable for recreational use, and it is abundant with native flora and fauna, so should be protected for future generations.

Submission Point	Provision	Decision Sought	Reasons
Submitter 6: Sean Kushel			
S6.1	Proposed Natural Open Space Zoning	Rezone the Silverstream Spur as Natural Open Space.	No reason provided.

Submission Point	Provision	Decision Sought	Reasons
Submitter 7: Cameron Seay			
S7.1	Proposed Open Space Zoning	Rezone the Silverstream Spur as Open Space	The submitter considers the land should be zoned as an open space and left as is, to protect the environment.

Submission Point	Provision	Decision Sought	Reasons
Submitter 8: Donna Galbraith			
S8.1	Proposed zoning of field behind Oxford Crescent School	Retain zoning of site as sport and active recreation, but amend provisions to prevent the addition of a sports club / structure / building to the site.	The submitter considers the field is not big enough to accommodate a sports club and parking. The submitter states that council has recently spent a considerable amount of money on a safe walking / scooter path which is used by a large number of schools / families in the area, and they would not like to see this removed.

Submission Point	Provision	Decision Sought	Reasons
Submitter 9: Mangaroa Farms			
S9.1	SARZ-S7	Retain the current number of operating days for the Hutt Valley Clay Target Club at 80 days.	The submitter considers an increase in shooting days is out of alignment with the growing population in the area and the substantial impact on amenity that constant gunfire has on nearby areas. The submitter considers that the newly proposed "Mangaroa Settlement" is incongruent with a firing range nearby.

Submission Point	Provision	Decision Sought	Reasons
Submitter 10: Mary Beth Taylor			
S10.1	Proposed Zoning	Amend to increase the area of Open Space.	The submitter considers that the proposed plan change needs to incorporate more open space, especially Natural Open Space, and that open spaces needs to be woven throughout human habitations in a more holistic way. The submitter states that extensive native plantings in Sport and Active Recreation Open Spaces could serve to create effective cross valley corridors to support avian movements. The submitter states that PC49 is a human centric approach to open space, and that planning should prioritise open space and the environment over the human built environment.
S10.2	General	Amend PC49 to make stronger connections between the Sustainability Strategy and make it less humancentric.	The submitter suggests that PC49 has taken a siloed approach to open space, being concerned with amenity values and disregards the critical values for all other species and denies the importance of the wider environment and ecological services. The submitter considers this is at odds with the Sustainability Strategy, and that PC49 must give effect to the Sustainability Strategy, which is particularly relevant for Goals 2 and 3. Open space must be protected and enhanced as per Goal 2, and Goal 3 is impacted by the care of open spaces and its impact on the water environment.

S10.3	General	Amend to include provisions for environmental care and biodiversity protection and restoration of open spaces in PC49.	The submitter believes that provision for the care and strengthening of the environment is missing in PC49.
S10.4	Proposed Natural Open Space Zoning	Rezone the Silverstream Spur to Natural Open Space.	The submitter considers the Silverstream Spur forms a natural gateway into Upper Hutt that was originally designated reserve land and has the potential to be restored to native forest as Natural Open Space and Recreation Open Space.

Submission Point	Provision	Decision Sought	Reasons
Submitter 11: Hannah Stanfield			
S11.1	All provisions	Amend to address errors within the objectives, policies and rules so that there are no gaps for unintended consequences to occur.	The submitter highlights grammatical and referencing errors which they request be corrected, and states that these need to be corrected to prevent unintended consequences arising.
S11.2	All provisions	Amend wording across the provisions to improve internal consistencies, correcting errors and making the provisions easier to interpret.	The submitter considers some language is unnecessarily wordy and makes things confusing, and that language could be simplified and still be effective, specifically suggesting the removal of the word 'extent' from matters of discretion.
S11.3	All provisions	Amend objectives and policies to make sure they achieve the best outcomes for our parks.	The submitter seeks to improve the wording of the policies and outcomes to ensure positive outcomes are realised, including improving consistency across the use of the terms recreation and leisure.
S11.4	All provisions	Any other changes that would achieve the above	As above

Submission Point	Provision	Decision Sought	Reasons
Submitter 12: John Hill			
S12.1	SARZ-S7	Oppose changes to number of shooting days for Upper Hutt Clay Target club, retain the current number of operating days for the Hutt Valley Clay Target Club at 80 days.	The submitter states that with shooting days have already been defined in an Environment Court hearing 2003 and are currently restricted to 80 days. The submitter believes that this should be upheld legally and not be changed by the proposed provision.

Submission Point	Provision	Decision Sought	Reasons
Submitter 13: Tony Chad			
S13.1	Proposed Natural Open Space Zoning	Rezoning the Silverstream Spur to Natural Open Space.	The submitter considers that the Silverstream Spur should be enhanced as it occupies a natural ecological corridor between the Western and Eastern Hills and links reserve land and open space between Keith George Memorial Park, Trentham Scenic Reserve and other forested areas on both sides of the Hutt River, North and South.

Submission Point	Provision	Decision Sought	Reasons
Submitter 14: Save Our Hills			
S14.1	Proposed Natural Open Space Zoning	Rezoning the Silverstream Spur to Natural Open Space	The submitter considers the land was purchased under the zoning of Rural Town Belt as a Reserve and needs to be reinstated as Reserve. As such, a zoning under Plan Change 49 of the Spur as "Natural Open Space" would be appropriate.

			The submitter considers that the Silverstream Spur is highly valued by the community as a scenic reserve and part of the city's green belt and green gateway. The submitter considers that Natural Open Space zoning would be consistent with requests by significant numbers of submissions on the Urban Growth Strategy in 2015, Land Use Strategy in 2016 and the Wellington Regional Growth Framework in 2020. The submitter considers rezoning the Silverstream Spur to Natural Open Space would rectify the lack of democratic decision making in these strategies.
--	--	--	--

Submission Point	Provision	Decision Sought	Reasons
Submitter 15: Thane Walls			
S15.1	General	No decision sought	The submitter states that there is limited information on what will happen in the proposed Sport and Active Recreation Zone, and the submitter requests specific information on any changes to infrastructure at Whakatiki Park.
S15.2	General	Amend to ensure no structural infrastructure that will adversely affect the neighbouring properties i.e. multi story sports complexes or inappropriate recreational activities i.e. motorised or sale of public land for development and private profit.	The submitter states that if there is no change to the current use of Whakatiki Park they support the proposed change. However, if major change is proposed then they do not support the change. The submitter states that green spaces are a valuable asset to the community.

Submission Point	Provision	Decision Sought	Reasons
Submitter 16: Waka Kotahi NZ Transport Agency			
S16.1	Section 3.1- Definitions (Motorised Recreation)	Retain as drafted	The submitter supports the separation of motorised recreation from other recreation activities.
S16.2	Section 3.1- Definitions (Passive Recreation)	Amend as follows: means the use of land and/or buildings for passive recreation and leisure activities which are informal, including walking, running, and cycling. Excludes motorised activities <u>and new facilities for organised, competitive sports.</u>	The submitter supports the intent of the proposed definition for passive recreation but suggests an amended definition to better differentiate between the forms of recreation and their effects, by clearly excluding organised sports.
S16.3	Section 3.1- Definitions (Sport and Active Recreation)	Retain as drafted	The submitter supports this definition and the distinction that motorised recreation is a separate activity.
S16.4	Open Space and Recreation Zone Strategic Objectives	Amend as follows: For the Open Space and Recreation Zones three <u>four</u> Strategic Objectives apply. These objectives have been developed to apply to each of the zones and take a holistic approach to considering the current and future state of the open spaces <u>and their surrounding environments</u> within Upper Hutt. Add strategic objective: <u>OSRZ-O4</u> <u>Effects on the wider environment and supporting infrastructure, as a result of activities within the Open Space and Recreation Zone, are avoided or mitigated.</u>	The submitter has suggested revised wording to include consideration of the effect on the wider environment by enabled activities.
S16.5	SUB-OSRZ-R1 1 SUBOSRZ-R2 1	Retain as drafted, with the exception of the matters of compliance (compliance with SUB-OSRZ-S1) being	The submitter supports the proposed provision and activity status as it enables the management of

	SUBOSRZ-R3 1	amended to reference access and visibility standards in Chapter 38 – Access Design Standards and Criteria rather than the Transport and Parking chapter which does not exist at the time of writing this submission.	effects on the transport network, however the submitter states that the reference to the chapter in the reformatted District Plan should be removed and the reference should be made to the standards within the operative District Plan.
S16.6	SUB-OSRZ-R1 2 SUBOSRZ-R2 2 SUBOSRZ-R3 2	Retain as drafted, with the exception of the matters of compliance with SUB-OSRZ-S1) being amended to reference access and visibility standards in Chapter 38 – Access Design Standards and Criteria rather than the Transport and Parking chapter which does not exist at the time of writing this submission.	The submitter supports the proposed provision and activity status as it enables the management of effects on the transport network, however the submitter states that the reference to the chapter in the reformatted District Plan should be removed and the reference should be made to the standards within the operative District Plan.
S16.7	SUB-OSRZ-R4	Retain as drafted	The submitter supports the approach of restricting subdivision except for listed exceptions.
S16.8	Controlled activities – restrictions on notification	Amend as follows: Controlled activities – restrictions on notification Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A. and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.	The submitter considers that limited notification should not be precluded for subdivisions with a controlled activity status due to the potential adverse effects on the state highway. Waka Kotahi should be consulted with and notified where subdivision may result in adverse effects to the state highway.
S16.9	SUB-OSRZ-S1	Amend as follows: Access standards for subdivision: 6. Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 A to E in the Transport and Parking (TP) Chapter <u>Chapter 38 – Access Design Standards and Criteria</u>	The submitter states that the reference to the chapter in the reformatted District Plan should be removed and the reference should be made to the standards within the operative District Plan.
S16.10	NOSZ-02	Amend as follows: NOSZ-02 Character and Amenity of the Natural Open Space Zone	The submitter suggests amendment to the proposed objective to include consideration of effects on the wider environment beyond the sites within the zone, including the transport network.

		Activities and development within the Natural Open Space Zone maintain the amenity values and natural character of the Natural Open Space Zone by ensuring that they are of an appropriate scale, including: 1. A low scale and level of development and built form which is purposed to support appropriate activities; 2. Indigenous vegetation is retained with associated natural and ecological value; and 3. Spaces are accessible and positively contribute to health and wellbeing of communities <u>4. Adverse effects on the wider environment and supporting infrastructure are managed appropriately.</u>	
S16.11	NOSZ-P2	Amend as follows: Provide for built development including: 1. Buildings & structures; 2. Walking and cycling tracks; 3. bridleways; 4. Parking areas; and 5. Parks Facilities, designed, located and at a scale, to support informal sports and recreation activities, conservation, and customary activities that do not adversely affect the natural character and amenity values of the Natural Open Space Zone <u>or the wider environment.</u>	The submitter supports the proposed policy but suggests amendment to the proposed policy to include consideration of effects on the wider environment beyond the sites within the zone.
S16.12	NOSZ-P3	Amend as follows: Avoid activities or developments which are incompatible with the natural character and amenity values of the Natural Open Space Zone, <u>or create adverse effects on the adjoining land uses</u> including avoiding: 1. Motorised recreation outside of specified areas in NOSZ-R11;	The submitter supports the intent of the proposed policy but considers there is the potential for activities within the zone to have adverse effects on the state highway, and that these should be included within this proposed policy. The submitter contends that adverse effects are possible because:

		2. Activities or development which inhibit recreational, conservation or customary activities; and 3. Activities which result in large scale development and a loss of natural character within the zone. <u>4. Activities or development which adversely affect the efficient or safe operation of the transport network.</u>	- Areas of the proposed Natural Open Space Zone are opposite to the state highway - Permitted activities in the zone could result in high or conflicting traffic which can have effects on the traffic network
S16.13	NOSZ-P5	Amend Plan Change 49 to include a trip generation threshold for permitted activities, which triggers a restricted discretionary activity status when exceeded. Waka Kotahi seeks to work with Council to identify what trip generation threshold is appropriate in this context.	The submitter is concerned that enabled activities within the proposed policy could impact on the safety and functionality of State Highway 2, and therefore requests a trip generation trigger to address any potential impacts on the transport network.
S16.14	Rules	Amend the table of District-wide matters to refer to operative parts of the plan only.	The submitter states that reference should only be made to the operative District Plan provisions and not to the rehoused plan provisions.
S16.15	NOSZ-R4 NOSZ-R7 NOSZ-R8 NOSZ-R10 NOSZ-R11 NOSZ-R12 NOSZ-R13	Retain these activities as permitted activities subject to an additional standard which requires trip generation thresholds which, when met or exceeded, require consent of the activity as a restricted discretionary activity and the assessment of the transport related effects of these activities. Further, for all activities, a permitted activity status should be subject to compliance with Chapter 38 – Access Design Standards and Criteria where direct access to the state highway is proposed. This is proposed to be addressed through a permitted activity standard as detailed in a submission point below.	The submitter suggests that the proposed rules have the potential to have significant impact on the safe and efficient operation of the transport network, especially those activities which are of a larger scale and directly access the state highway. The submitter supports enabling these activities but requests the inclusion of trip generation thresholds as a permitted activity standard. The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.16	NOSZ-R12	Amend as follows: Primary production 1. Activity Status: PER	The submitter requests additional requirements for quarrying to be a permitted activity due to the potential significant adverse effects that the activity

		Where: a) the activity is enabled in NOSZ- P5 and undertaken within: i. Akatarawa Forest Regional Park; ii. Kaitoke Regional Park; or iii. Pakuratahi Forest Regional Park. <u>b) A quarrying activity must meet the following additional requirements:</u> <u>i. The activity is operated by the Upper Hutt City Council and is for the purpose of managing parking roads or tracks.</u> <u>ii. The activity must be wholly contained within the site which is specified in NOSZ-R12.</u> <u>iii. The activity must not use any public road access.</u> 2. Activity Status: NC Where: a) Compliance is not achieved with NOSZ-R12-ai, NOSZ-R12-aii, NOSZ-R12-aiii, <u>NOSZR12-bi, NOSZ-R12-bii, NOSZ-R12-biii,</u>	can have on the road network due to frequent heavy vehicle turning movement. The permitted status limits the ability of Waka Kotahi to manage road network effects. The submitter supports the approach of primary production being non-complying where the activity does not meet the requirements of NOSZ-R12.1, as it allows for the management of adverse effects on State Highway 2.
S16.17	NOSZ-R14	Amend to add (f) to the matters of discretion as follows: 1. Activity Status: RDIS Matters of discretion are restricted to: a) Effects of the facility and associated activity on the Natural Open Space Zones natural character and amenity values; b) The impact of the operation of the tourism facility on the ability for recreational, sporting, customary and conservation activities to occur at the site; c) The operational effects of the tourism activity on any neighbouring amenity values, including consideration of mitigation in relation to noise, traffic and light effects. d) The integration of the facility within any existing built form and the consideration of the cumulative effects of	The submitter supports the proposed activity status for the activity but proposes an amendment to the proposed rule to include a matter of discretion to consider the safety and efficiency of the transport network from tourism facilities.

		buildings on the Natural Open Space Zones natural character and amenity values. e) Able to be serviced with adequate on-site infrastructure and services. <u>f) The effects of the activity on the safety and efficiency of the transport network.</u>	
S16.18	NOSZ-R16 NOSZ-R17 NOSZ-R18 NOSZ-R19	Retain as drafted	The submitter supports these activities as a discretionary activity as this provides for their impacts on the transport network to be considered and addressed.
S16.19	NOSZ-R21 NOSZ-R22	Retain as drafted	The submitter supports these activities as non-complying as this provides for their impacts on the transport network to be considered and addressed.
S16.20	New advice note	Include: <u>Notes:</u> <u>All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Rounding Powers Act 1989. Under the same legislation, a portion of State Highway 2 is also gazetted as a Limited Access Road as indicated here. If any change of access is proposed to a Limited Access Road, approval from NZ Transport Agency Waka Kotahi is required.</u>	The submitter requests the addition of this advice note to inform plan users of additional obligations which can be addressed through submitted resource consents, specifically the consideration of the Government Rounding Powers Act 1989 which Waka Kotahi administer.
S16.21	NOSZ-SX	Include a new standard for a trip generation threshold as a permitted activity standard for all activities in the zone, which triggers a restricted discretionary activity status when exceeded. The matters of discretion should require an assessment of the potential effects on the safety and efficiency of the transport system – preferable by the way of an integrated transport assessment.	The submitter states that the permitted activities can impact the safe and efficient operation of the transport network, and the submitter strongly recommends the inclusion of trip generation thresholds which when met or exceeded would need a consent as a restricted discretionary activity. The submitter seeks to work with Council to identify appropriate thresholds.

		At this point, Waka Kotahi supports a threshold of 100 equivalent vehicle movements per day as a general threshold where a proposal accesses the state highway, and lower thresholds where the safety of the transport network warrants it. Waka Kotahi seeks to work with Council to identify where lower thresholds are required (to both the state highway and local roads), and appropriate thresholds for specific activities. In addition, if not addressed elsewhere, the following additional permitted activity standard is sought: <u>NOSZ-SX</u> <u>Activities must comply with the access standards in Chapter 38 – Access Design Standards and Criteria where relevant</u>	The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.22	OSZ-O2	Amend as follows: Activities and development within the Open Space Zone maintain the amenity values and character of the Open Space Zone, <u>while not adversely affecting the safety, function, and amenity of the surrounding environment</u> including ensuring that: 1. A sense of openness is maintained through a low level and density of development; 2. Buildings and structures support the community use of the Open Space Zone; and 3. Spaces are accessible and positively contribute to the health and wellbeing of communities. 4. <u>The efficient and safe operation of the transport network is maintained</u>	The submitter suggests amendment to the proposed objective to include consideration of effects on the wider environment beyond the sites within the zone, including the transport network.
S16.23	OSZ-P2	Amend as follows: Provide for development in the Open Space Zone which is well designed and located, and at a scale that is	The submitter supports the proposed policy but suggests amendment to the proposed policy to include consideration of effects on the wider environment beyond the sites within the zone.

		compatible with the size, purpose and character of the Open Space Zone. Development should: 1. Be suitably located to maintain an open character for the site; 2. Be suitably scaled with regards to the size of the site; 3. Support the activities detailed in OSZ-P1; and 55 4. Be well connected to pedestrian access points and walkways or cycle ways to ensure appropriate access. 5. <u>Manage effects on the wider environment and supporting infrastructure</u>	
S16.24	OSZ-P3	Amend as follows: The adverse effects of inappropriate activities are managed to ensure the Open Space Zone character and amenity values are maintained <u>and adverse effects on adjoining land uses are avoided</u>, by ensuring activities and development are of an appropriate scale and type. Inappropriate activities or development include: 1. Activities or development which prevent the undertaking of recreational, sporting, conservation and customary activities; and 2. Activities which result in large scale development and a loss of open space character. 3. <u>Activities or development which adversely affect the efficient or safe operation of the transport network</u>	The submitter supports the intent of the proposed policy but considers there is the potential for activities within the zone to have adverse effects on the state highway, and that these should be included within this proposed policy. The submitter considers that adverse effects are possible because: - Areas of the proposed Open Space Zone are opposite to the state highway - Permitted activities in the zone could result in high or conflicting traffic which can have effects on the traffic network.
S16.25	Rules	Amend the table of District-wide matters to refer to operative parts of the plan only.	The submitter states that reference should only be made to the operative District Plan provisions and not to the rehoused plan provisions.
S16.26	OSZ-R4 OSZ-R7 OSZ-R9	Retain these activities as permitted activities subject to an additional standard which requires trip generation thresholds which, when met or exceeded, require consent of the activity as a restricted discretionary activity and the assessment of the transport related effects of these activities.	The submitter suggests that the proposed rules have the potential to have significant impact on the safe and efficient operation of the transport network, especially those activities which are of a larger scale and directly access the state highway. The submitter supports enabling these activities but requests the

		Further, for all activities, a permitted activity status should be subject to compliance with Chapter 38 – Access Design Standards and Criteria where direct access to the state highway is proposed. This is proposed to be addressed through a permitted activity standard.	inclusion of trip generation thresholds as a permitted activity standard. The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.27	OSZ-R13 OSZ-R14 OSZ-R15 OSZ-R16	Amend to add the following matters of discretion for OSZ-R13, OSZ-R14, OSZ-R15 and OSZ-R16: <u>x) The effects of the activity on the safety and efficiency of the transport network.</u>	The submitter supports the proposed activity status but requests an amendment to include the consideration of the safety and efficiency of the transport network.
S16.28	OSZ-R18 OSZ-R19 OSZ-R20	Retain as drafted	The submitter supports these activities as a discretionary activity as this provides for their impacts on the transport network to be considered and addressed.
S16.29	OSZ-R22 OSZ-R23 OSZ-R24 OSZ-R25 OSZ-R26	Retain as drafted	The submitter supports these activities as non-complying as this provides for their impacts on the transport network to be considered and addressed.
S16.30	OSZ-SX	Include a new standard for a trip generation threshold as a permitted activity standard for all activities in the zone, which triggers a restricted discretionary activity status when exceeded. The matters of discretion should require an assessment of the potential effects on the safety and efficiency of the transport system – preferable by the way of an integrated transport assessment. At this point, Waka Kotahi supports a threshold of 100 equivalent vehicle movements per day as a general threshold where a proposal accesses the state highway, and lower thresholds where the safety of the transport	The submitter states that the permitted activities can impact the safe and efficient operation of the transport network, and the submitter strongly recommends the inclusion of trip generation thresholds which when met or exceeded would need a consent as a restricted discretionary activity. The Submitter seeks to work with Council to identify appropriate thresholds. The submitter also requests that permitted activities should be subject to compliance with Chapter 38 –

		network warrants it. Waka Kotahi seeks to work with Council to identify where lower thresholds are required (to both the state highway and local roads), and appropriate thresholds for specific activities. In addition, if not addressed elsewhere, the following additional permitted activity standard is sought: <u>OSZ-SX</u> <u>Activities must comply with the access standards in Chapter 38 – Access Design Standards and Criteria where relevant</u>	Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.31	New advice note	Include: <u>Notes:</u> <u>All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Rounding Powers Act 1989. Under the same legislation, a portion of State Highway 2 is also gazetted as a Limited Access Road as indicated here. If any change of access is proposed to a Limited Access Road, approval from NZ Transport Agency Waka Kotahi is required.</u>	The submitter requests the addition of this advice note to inform plan users of additional obligations which can be addressed through submitted resource consents, specifically the consideration of the Government Rounding Powers Act 1989 which Waka Kotahi administer.
S16.32	SARZ-O2	Amend as follows: Activities and development within the Sport and Active Recreation Zone ensure amenity values and character of the Sport and Active Recreation Zone are maintained <u>while not adversely affecting the safety, function, and amenity of the surrounding environment</u> including: 1. Built form retains openness is still maintained through appropriate location and scaling of buildings; 2. Infrastructure to support different sports and active recreation activities; and	The submitter suggests amendment to the proposed objective to include consideration of effects on the wider environment beyond the sites within the zone, including the transport network.

		3. Spaces are accessible and positively contribute to health and wellbeing of communities 4. <u>The efficient and safe operation of the transport network is maintained</u>	
S16.33	SARZ-P2	Amend as follows: The scale, location and design of development, including buildings and playing surfaces, in the Sport and Active Recreation Zone are managed to support the recreational use of the zone for a range of indoor and outdoor sports and protect recreational character of the zone and <u>manage effects on the wider environment and supporting infrastructure.</u>	The submitter suggests amendment to the proposed policy to include consideration of effects on the wider environment beyond the sites within the zone, including the transport network.
S16.34	SARZ-P4	Amend as follows: Avoid activities and development within the Sport and Active Recreation Zone which are not compatible with the character and purpose of the zone, <u>or create adverse effects on the adjoining land uses,</u> including: 1. Activities of an inappropriate scale for the site 2. Activities or development which prevent the undertaking of Sport and Recreation Activities within the site 3. <u>Activities or development are avoided where they adversely affect the efficient or safe operation of the transport network.</u>	The submitter supports the intent of the proposed policy but considers there is the potential for activities within the zone to have adverse effects on the state highway, and that these should be included within this proposed policy. The submitter considers that adverse effects are possible because: - Areas of the proposed Sport and Active Recreation Zone are opposite to the state highway - Permitted activities in the zone could result in high or conflicting traffic which can have effects on the traffic network.
S16.35	Rules	Amend table of District-wide matters to refer to operative parts of the plan only.	The submitter states that reference should only be made to the operative District Plan provisions and not to the rehoused plan provisions.
S16.36	SARZ-R3 SARZ-R7 SARZ-R8	Retain these activities as permitted activities subject to an additional standard which requires trip generation thresholds which, when met or exceeded, require	The submitter suggests that the proposed rules have the potential to have significant impact on the safe and efficient operation of the transport network,

	SARZ-R11	consent of the activity as a restricted discretionary activity and the assessment of the transport related effects of these activities. Further, for all activities, a permitted activity status should be subject to compliance with Chapter 38 – Access Design Standards and Criteria where direct access to the state highway is proposed. This is proposed to be addressed through a permitted activity standard.	especially those activities which are of a larger scale and directly access the state highway. The submitter supports enabling these activities but requests the inclusion of trip generation thresholds as a permitted activity standard. The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.37	SARZ-R12 SARZ-R13	Amend to add to an additional matter of discretion as follows for SARZ-R12, and SARZ-R13 <u>x) The effects of the activity on the safety and efficiency of the transport network.</u>	The submitter supports the proposed activity status but requests an amendment to include the consideration of the safety and efficiency of the transport network.
S16.38	SARZ-R14 SARZ-R15 SARZ-R16 SARZ-R17	Retain as drafted	The submitter supports these activities as a discretionary activity as this provides for their impacts on the transport network to be considered and addressed.
S16.38	SARZ-R18 SARZ-R19 SARZ-R20 SARZ-R21 SARZ-R22	Retain as drafted	The submitter supports these activities as non-complying as this provides for their impacts on the transport network to be considered and addressed.
S16.39	SARZ-SX	Include a new standard for a trip generation threshold as a permitted activity standard for all activities in the zone, which triggers a restricted discretionary activity status when exceeded. The matters of discretion should require an assessment of the potential effects on the safety and efficiency of the transport system – preferable by the way of an integrated transport assessment.	The submitter states that the permitted activities can impact the safe and efficient operation of the transport network, and the submitter strongly recommends the inclusion of trip generation thresholds which when met or exceeded would need a consent as a restricted discretionary activity. Waka Kotahi seeks to work with Council to identify appropriate thresholds.

		At this point, Waka Kotahi supports a threshold of 100 equivalent vehicle movements per day as a general threshold where a proposal accesses the state highway, and lower thresholds where the safety of the transport network warrants it. Waka Kotahi seeks to work with Council to identify where lower thresholds are required (to both the state highway and local roads), and appropriate thresholds for specific activities. In addition, if not addressed elsewhere, the following additional permitted activity standard is sought: <u>SARSZ-SX</u> <u>Activities must comply with the access standards in Chapter 38 – Access Design Standards and Criteria where relevant</u>	The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.40	New advice note	Include: <u>Notes:</u> <u>All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Rounding Powers Act 1989. Under the same legislation, a portion of State Highway 2 is also gazetted as a Limited Access Road as indicated here. If any change of access is proposed to a Limited Access Road, approval from NZ Transport Agency Waka Kotahi is required.</u>	The submitter requests the addition of this advice note to inform plan users of additional obligations which can be addressed through submitted resource consents, specifically the consideration of the Government Rounding Powers Act 1989 which Waka Kotahi administer.
S16.41	SARZ-R15 SARZ-R16 SARZ-R17 SARZ-R18 SARZ-R19 SARZ-R23	Retain these activities as permitted activities subject to an additional standard which requires trip generation thresholds which, when met or exceeded, require consent of the activity as a restricted discretionary activity and the assessment of the transport related effects of these activities.	The submitter suggests that the proposed rules have the potential to have significant impact on the safe and efficient operation of the transport network. The submitter supports enabling these activities but requests the inclusion of trip generation thresholds as a permitted activity standard.

S16.42	SAZ-R45	Retain as drafted	The submitter supports these activities as non-complying as this provides for their impacts on the transport network to be considered and addressed.
S16.43	SAZ-SX	Include a new standard for a trip generation threshold as a permitted activity standard for all activities in the Zone, which triggers a restricted discretionary activity status when exceeded. The matters of discretion should require an assessment of the potential effects on the safety and efficiency of the transport system – preferable by the way of an integrated transport assessment. At this point, Waka Kotahi supports a threshold of 100 equivalent vehicle movements per day as a general threshold where a proposal accesses the state highway, and lower thresholds where the safety of the transport network warrants it. Waka Kotahi seeks to work with Council to identify where lower thresholds are required (to both the state highway and local roads), and appropriate thresholds for specific activities. In addition, if not addressed elsewhere, the following additional permitted activity standard is sought: <u>SARSZ-SX</u> <u>Activities must comply with the access standards in Chapter 38 – Access Design Standards and Criteria where relevant</u>	The submitter states that the permitted activities can impact the safe and efficient operation of the transport network, and the submitter strongly recommends the inclusion of trip generation thresholds which when met or exceeded would need a consent as a restricted discretionary activity. Waka Kotahi seeks to work with Council to identify appropriate thresholds. The submitter also requests that permitted activities should be subject to compliance with Chapter 38 – Access Design Standards and Criteria to ensure safe access design to the state highway network.
S16.44	New advice note	Include: <u>Notes:</u> <u>All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Roding</u>	The submitter requests the addition of this advice note to inform plan users of additional obligations which can be addressed through submitted resource consents, specifically the consideration of the

		<u>Powers Act 1989. Under the same legislation, a portion of State Highway 2 is also gazetted as a Limited Access Road as indicated here. If any change of access is proposed to a Limited Access Road, approval from NZ Transport Agency Waka Kotahi is required.</u>	Government Roding Powers Act 1989 which Waka Kotahi administer.
--	--	--	---

Submission Point	Provision	Decision Sought	Reasons
Submitter 17: Abbie Spiers			
S17.1	Proposed zoning	Amend to increase the area of Open Space in Plan Change 49, providing connectivity between our parks, and all along the hills from north to south, including the Spur.	The submitter seeks more open space zoned land, specifically Natural Open Space, to create a network of such areas linking all parks, including greater connectivity between open spaces through native planting and wildlife corridors, ensuring open spaces will also provide wildlife and native plant benefits.
S17.2	General	Amend so that Plan Change 49 better covers UHCC's responsibilities to protect existing biodiversity and restore degraded environments.	The submitter states that the Plan Change would benefit from better consideration of connectivity between natural spaces, restoration of native habitat, our river and streams' water quality, and how UHCC manages our natural areas and recreational spaces. The submitter suggests that this would provide a greater connectivity with the Sustainability Strategy and other Council policies, and that the environment should be a top priority for consideration in future Council work alongside social/community, financial considerations and climate change mitigation.
S17.3	Proposed Natural Open Space Zoning	Rezone the spur as Natural Open Space.	The submitter disagrees that the spur should be out of scope of the plan change. The submitter states

			that zoning the spur as Natural Open Space will be aligned with the original purpose of the Spur when purchased by Council, and that there will be positive ecological and amenity effects from the zoning.
S17.4	Proposed zoning	Consider including the Mangaroa Peatland in future plans as a 'flagship wetland' for Upper Hutt.	The submitter states that the purchase and/or protection of the Mangaroa Peatland as Natural Open Space would create benefits for climate, community and environment.

Submission Point	Provision	Decision Sought	Reasons
Submitter 18: Heritage New Zealand Pouhere Taonga			
S18.1	OSZ-R12	Retain rule OSZ-R12 as notified	The submitter seeks to retain the rule which was provided by the submitter during pre-notification engagement, as the rule manages activities at the Blockhouse in line with currently occurring activities.

Submission Point	Provision	Decision Sought	Reasons
Submitter 19: Royal Wellington Golf Club			
S19.1	SUB-OSRZ-P1	Revise the proposed policy wording as follows: To protect <u>public</u> open space land by avoiding inappropriate subdivision to maintain an appropriate provision of open space land which provides a diverse contribution to the recreational, conservation and cultural needs of the community.	The submitter states the proposed policy is overly restrictive on the ability for privately owned open space land to be able to subdivide, and that an identified deficit of open space land should be addressed through public means as opposed to a restriction in subdivision for private open space. Therefore the submitter requests that the policy refer only to public open space.
S19.2	SARZ-02	Revise the proposed objective wording as follows (or other such similar relief): Activities and development within the Sport and Active Recreation Zone ensure amenity values and character of the Sport and Active Recreation Zone are maintained including: 1. Built form retains openness is still maintained through <u>Through the</u> appropriate location and scaling of buildings; 2. Infrastructure to support different sports and active recreation activities; and 3. Spaces are <u>Through the provision of public open spaces that are</u> accessible and positively contribute to health and wellbeing of communities.	The submitter supports the principle of the objective, but requests an amendment to the proposed wording on the basis that sub-objective (1) is difficult to interpret, and that the reference to spaces being accessible is too broad, and that some space are not appropriate to be accessible to the public in private open spaces.
S19.3	SARZ-03	Retain objective as notified.	The submitter supports the objective as it recognises the contribution that privately owned sports clubs make to the open space network.
S19.4	SARZ-P2	Revise the proposed policy wording as follows (or other such similar relief):	The submitter supports the policy in general, but suggests an amendment in the wording of the Policy as the submitter states that the proposed wording may have the effect of precluding development that

		The scale, location and design of development, including buildings and playing surfaces, in the Sport and Active Recreation Zone are managed to support the recreational use of the zone for a range of indoor and outdoor sports and protect <u>to support</u> recreational character of the zone.	supports the recreational use of the zone and its broader recreational character.
S19.5	SARZ-P5	Retain the policy as notified.	The submitter supports the policy as it recognises the contribution that privately owned sports clubs make to the open space network.
S19.6	SARZ-S2	Amend to retain the maximum height above ground level of any building from the Operative District Plan Special Activity Zone (15m), or other such similar relief.	The submitter opposes this standard on the basis that it is less than the existing District Plan provisions allow for, and this could restrict any future rebuilding of the clubhouse if the existing structure was damaged or destroyed, as the current clubhouse exceeds the permitted standard. Furthermore the submitter is concerned that minor alterations would trigger non-compliances with this standard. The submitter states that SARZ-R5 (height control planes) would manage the effects of building height in relation to surrounding sites.
S19.7	SARZ-S3	Amend the setback standard for boundaries adjoining a residential zone to remain unchanged from the Operative District Plan (3m + 0.5m for every 1m the building is over 5m in height), or other such similar relief.	The submitter opposes this rule on the basis that the setback is an increase from the existing provisions, and that this would restrict development in vicinity of the existing clubhouse. The submitter states that the height control planes should be relied upon to control the bulk and location of any development.
S19.8	SARZ-S4	Amend so the gross floor area standard does not apply to buildings at the Royal Wellington Golf Club, or other such similar relief.	The submitter opposes this standard, stating that it does not take into account the nature and scale of the buildings required to operate the club, including

			the potential restriction of being able to redevelop if existing buildings were damaged or destroyed.
S19.9	SARZ-S6	That the wording of the standard is revised as follows (or other such similar relief): 1. All caretaker accommodation shall be: a) limited to the purpose of providing accommodation for a caretaker or other person whose employment requires that they live on the premises where they are employed; b) No more than 1 residential unit is located on the site; c) The activity is ancillary to a sporting activity located on-site; d) The residential unit must not subdivided or disposed of separately; e) The building used to accommodate the residential activity must be no larger than 65m2 in gross floor area; f) The building used to accommodate the residential activity must not exceed a height of 4 metres; and g) The building will comply with SARZ-S3 and SARZ-S1 <u>to SARZ-S5</u>	The submitter opposes this standard and recommends amendments on the basis that the proposed rule does not account for the ability for any caretaker to accommodate their household within the dwelling. The submitter states that the proposed amendment would still result in a standard that manages the effects of caretaker accommodation within the zone. The submitter specifically mentions that: • Sub-standard 1(a) limits the accommodation to the caretaker only, and does not provide for the housing of the caretaker and their family or household; • Sub-standard 1(e) does not enable a sufficiently sized residential unit to house a larger family or household. • It is unclear whether the 65m2 size referred to in sub-standard 1(e) refers to gross floor area or building coverage; • Read together, sub-standards 1(e) and (f) preclude the caretaker and their household from being housed in an apartment within a larger existing (or new) building.

Submission Point	Provision	Decision Sought	Reasons
Submitter 20: Wooster & Teasdale Families			
S20.1	Proposed zoning and provisions	Amend the planning maps to replace the proposed Open Space and Recreation Zone's from the parts of Lot 2 Deposited Plan 52807; Pt Lot 2 Deposited Plan 58853; Lot 1 Deposited Plan 58853; Pt Lot 2 Deposited Plan 17413; Lot 1 Deposited Plan 10580; Lot 2 Deposited Plan 10580 (150 and 146 Gillespies Road) that are not currently within the active bed of the Hutt River and rezone this land a different zone which enables (i)-(iv) below; or alternatively amend the district plan provisions as required to enable the following on the site: i. Ongoing use and upgrading, intensification or expansion of existing land use carried out on the site; ii. Permitting or controlling activities which are currently permitted or controlled on the site under the Operative District Plan; iii. General land use and development opportunities including but not limited to rural, residential, commercial, industrial, utility/services, and all forms of recreation (i.e. including motorised recreation); iv. Subdivision, access; and earthworks/excavation (including quarrying activities) associated with the abovementioned opportunities.	a) The submitters own and use land directly affected by the proposal. Much of this land is or can be used for purposes other than that anticipated or provided for under PC49, including but not limited to, a bridge over the Hutt River. b) The proposal inappropriately restricts appropriate subdivision, use and development opportunities of the site. c) The costs (including opportunity costs) of the proposal have not been adequately identified or evaluated. d) The provision for only public / community open space and recreation on the site is not appropriate nor justified.
S20.2	Proposed zoning and provisions	Amend the planning maps to limit the extent of the Natural Open Space Zone so that it is contained within the currently active bed of the Hutt River, and rezone the balance land (outside the active channel/bed) to a	As above

		different zone (namely the zone sought in S20.1 above) to enable the matters described in S20.1(i)-(iv) above to be undertaken on the site.	
S20.3	Proposed provisions	Amend the provisions in the NOSZ as required to enable the following within the river-bed part of the site: i. Subdivision; ii. Access, infrastructure, and buildings or structures associated with the transportation or conveyance of people, goods, utilities, and services within or across the zone, including bridges and pipes; iii. Natural hazard protection and remediation (works and structures); iv. Earthworks (including rock/gravel extraction); v. Commercial recreation;	As above
S20.4	Proposed provisions	Some specific amendments to the NOSZ provisions could include, for example: a) Deleting the provisions which direct “avoidance” or “protection” outcomes, or otherwise amending these provisions so that they provide a feasible consenting pathway for the activities listed in S20.3. b) Identifying the activities listed in S20.3 above as being complementary activities under OSZ-P1 or alternatively introducing new policies to specifically provide for these activities where their adverse effects on other activities and the natural character and amenity values of the Natural Open Space Zone are “minimised”. The term “minimised” could be defined in the district plan, such as: “Reduce to the smallest amount reasonably practicable. Minimised, minimising	As above

		and minimisation have the corresponding meaning”. c) Amending the matters of discretion (for restricted discretionary activities) to include consideration of other benefits such as those associated with: access (including bridges); natural hazard works and structures; earthworks/excavation; quarrying; use or development of land outside “the site”, and benefits associated with offsetting or compensation.	
S20.5	Proposed provisions	Throughout PC49, some provisions could also be amended to improve clarity and avoid inadvertent misinterpretation, for example NOSZ-P3(3) (if retained) should be amended to say that “activities which result in large scale development <u>within the zone</u> , and a loss of natural character within the zone”.	This clause, as notified, risks being misinterpreted as directing large-scale development outside the zone to be avoided, which is not an appropriate outcome.
S20.6	General	Alternative amendments, including any such combination of provisions as may be appropriate, to address the matters raised in this submission, and to achieve the intent of this submission. Any similar, alternative, consequential and/or other relief as necessary to address the issues raised in this submission.	

Submission Point	Provision	Decision Sought	Reasons
Submitter 21: Transpower New Zealand Limited			
21.1	NOSZ-R15	Retain Rule NOSZ-R15 as notified	The submitter supports the proposed rule as it gives effect to Policy 10 and 11 of the National Policy Statement for Electricity Transmission.

21.2	NOSZ-R20	Retain Rule NOSZ-R20 as notified	The submitter supports the proposed rule as it gives effect to Policy 10 and 11 of the National Policy Statement for Electricity Transmission.
21.3	OSZ-R21	On the basis that Proposed Rules NOSZ-R15 and OSZ-R17 are retained as notified, delete Rule OSZ-R21	On the basis proposed Rules NOSZ-R15 and OSZ-R17 are included, Transpower supports the deletion of operative Rule OSZ-R21.
21.4	OSZ-R26	On the basis that Proposed Rules NOSZ-R20 and OSZ-R21 are retained as notified, delete Rule OSZ-R26	On the basis proposed Rules NOSZ-R20 and OSZ-R21 are included, Transpower supports the deletion of operative Rule OSZ-R26.
21.5	OSZ-R17	Retain Rule OSZ-R17 as notified	The submitter supports the proposed rule as it gives effect to Policy 10 and 11 of the National Policy Statement for Electricity Transmission.
21.6	OSZ-R21	Retain Rule OSZ-R21 as notified	The submitter supports the proposed rule as it gives effect to Policy 10 and 11 of the National Policy Statement for Electricity Transmission.

Submission Point	Provision	Decision Sought	Reasons
Submitter 22: Gary Sherwin			
22.1	Te Marua Speedway Zoning	No decision sought	The submitter states that they would like more information on the plan change on the residence of Te Marua, specifically requesting information relating to the Speedway.

Submission Point	Provision	Decision Sought	Reasons
Submitter 23: Forest and Bird			
23.1	Zoning	We would like Upper Hutt City Council to commission an independent report to identify additional land to be zoned under the Natural Open Space Zone.	Forest and Bird consider that the approach of the proposed plan change to avoid zoning private land as open space is not consistent with the definition

23.2	Zoning	Apply the Natural Open Space zone to private land where appropriate.	and purpose of the Natural Open Space Zone, which the submitter states should be focused on the natural environment as opposed to public and accessible spaces. The submitter also states that if Natural Open Space Zoned land is privately owned, then it would not be required to provide access. Forest and Bird state that the objectives fail to recognise the ecological and natural values of the Natural Open Space Zone, and that whilst they do not suggest Natural Open Space shouldn't be available for recreation or leisure, but that natural environment values should take precedence over recreation or leisure uses. The submitter also states that bird corridors should be recognised in the Natural Open Space Zone, as the current District Plan does not currently recognise bird corridors.
23.3	Zoning	We would like to support provisions that restrict public access to protect natural values and private property as appropriate. This may require a distinction between Natural Open Space on private versus publicly owned land.	
23.4	Zoning	Amend the purpose of the natural open space zone such that retention of natural environment is the primary focus and by removing the enabling approach towards recreation or other uses.	
23.5	Zoning	Rezone the existing Valley Floor Sub-zone of Mangaroa Valley to Natural Open Space Zone.	Forest and Bird states that the area in question is a unique geomorphological structure for the Wellington region which is of regional scientific, educational or aesthetic importance. The submitter states that the existing zoning which is enabling of farming is inappropriate and that continued farming of this area is unsustainable and would lead to degradation of the peat present. Forest and Bird state that the current zoning of this area is appropriate in light of Objective 5.3.1 of the operative District Plan which regards the maintenance and enhancement of the open spaces,

			natural features and ecological systems which comprise the rural character and amenity
23.6	Zoning	Zone Silverstream Spur as Natural Open Space Zone.	Forest and Bird state that the spur is appropriate to be zoned as Natural Open Space based on the natural values of the land, and it's value as a bird corridor and reserve. Forest and Bird consider the zoning of the site as Natural Open Space aligns with the purpose of the zone as areas where passive recreational activities occur with a high degree of nature interaction.
23.7	Introduction and general provisions (Tracked changes 4-18)	Retain as notified	The submitter states that they support these amendments as they are appropriate.
23.8	Open Space and Recreation Zones Strategic Objectives	Amend strategic objectives to reflect the difference between the different open space zones and the access expectations. Suggest adding a Natural Open Space Network strategic objective and an Open Space Network strategic objective.	The submitter states that the Open Space and Natural Open Space zones have been conflated throughout the proposed plan change, and that the strategic objectives need to reflect the differences between the two zones, including the difference between Natural Open Space on private and publicly owned land.
23.9	Ecosystems and Indigenous Biodiversity (Tracked change 23)	Amend. Ensure reference to new open space zones is added to replace the reference to the old OSZ matters of consideration	The submitter seeks the addition of references to matters of consideration for the proposed open space and recreation zones.
23.10	Natural Features and Landscape (Tracked change 24)	Amend. Ensure reference to new open space zones is added to replace the reference to the old OSZ matters of consideration.	The submitter seeks the addition of references to matters of consideration for the proposed open space and recreation zones.
23.11	Open Space-Subdivision Amend chapter title	Retain as notified	The submitter states that they support the amendment as it is appropriate.

23.12	Open Space-Subdivision Amend SUB-OSZ-R1	Retain as notified	The submitter states that they support the amendment as it is appropriate.
23.13	Open Space-Subdivision Delete existing subdivision provisions	Retain as notified	The submitter states that they support the amendment as it is appropriate.
23.14	Open Space Add subdivision provisions for Open Space and Recreation Zones	Amend to include clarity regarding subdivision in Open Space Zone and Natural Open Space Zone. Subdivision provisions should differ between the two because the focus of the two zones is not the same.	The submitter states that there is no delineation between the subdivisions provisions for the Open Space and Natural Open Space Zones, and requests the amendment sought to clarify differences between the two zones, including considering subdivision in the Natural Open Space Zone which is incompatible with the natural environment.
23.15	Part 2- Development Contributions Amend guidelines for accepting land in policy DC-R3	Retain as notified	The submitter states that they support the amendment as it is appropriate.
23.16	Part 3- Open Space and Recreation Zones Add Natural Open Space Zone provisions	Revise the Natural Open Space Zone provisions to ensure they give consistency with higher order planning instruments such as the RPS and give effect to the intent of the national planning standards.	The submitter contends that the Natural Open Space Zone provisions are not appropriate in light of the above submission points. The submitter requests that if Natural open Space Zone occurs on private land then provisions should clearly state that access is a privilege and not an expectation, and the submitter states that this zone has not been well incorporated into the rest of the plan.
23.17	NOSZ-O1	Amend: “The Natural Open Space Zone enables <u>retains natural environmental values and provides opportunities for a range of passive recreation, customary and conservation activities with ancillary structures which to occur within the natural environment and have a high degree of interaction with natural features, where appropriate.</u> ”	The submitter states that the proposed Objective is not consistent with the national planning standards and is inconsistent with the Regional Policy Statement and part 2 of the RMA.

23.18	NOSZ-O2	Amend: “Activities and development within the Natural Open Space Zone <u>protects indigenous species, their habitats and ecosystem functions</u> , maintains the amenity values and natural character of the Natural Open Space Zone by ensuring that they are of an appropriate scale <u>and appropriately located</u> , including .	The submitter states that the proposed Objective is not consistent with the national planning standards and is inconsistent with the Regional Policy Statement and part 2 of the RMA. The submitter states that objective should be clearer with regards to character and amenity values, and that the purpose of the matters listed in the objective is unclear, as is the definition of appropriate activities.
23.19	NOSZ-O3	Amend “Enable a diverse range of activities within Regional Parks, which are compatible with the purpose, natural character and amenity values of the Natural Open Space Zone, that r <u>Recognise their contribution of Regional Parks</u> to the open space network of Upper Hutt.	The submitter states that enabling is not appropriate for an objective and is not appropriate where the purpose and character of the zone is not clearly set out.
23.20	NOSZ-P1	Amend “Enable <u>provide for</u> Informal sports and passive recreation activities, conservation, and customary activities, which are of a appropriate scale <u>and location</u> within the Natural Open Space Zone that are compatible with the natural character and amenity values of the site. Including ancillary structures to these activities where: 1. A low scale and level of development and built form; 2. Indigenous vegetation is retained with associated natural and ecological value; and 3. Spaces are accessible and positively contribute to health and wellbeing of communities.	The submitter reasons that the activities should be provided for rather than enabled as Council will not play an active role in enabling activities on private land. The Submitter also requests the matters in the proposed objective NOSZ-O2 should be included in this policy.

23.21	NOSZ-P2	Amend “Consider providing <u>Provide</u> for built development including: 1. Buildings & structures; 2. Walking and cycling tracks; 3. bridleways; 4. Parking areas; and 5. Parks Facilities, designed, located and at a scale, to support informal sports and recreation activities, conservation, and customary activities that do not adversely affect the natural character and amenity values of the Natural Open Space Zone.	The submitter states that not all matters listed in the proposed policy may be appropriate, and that the policy is not limited to the matters listed.
23.22	NOSZ-P3	Amend Avoid activities or developments which are incompatible with the natural character and amenity values of the Natural Open Space Zone, including avoiding: 1. Motorised recreation outside of specified areas in NOSZ-R11; 2. Activities or development which inhibit <u>that are not</u> recreational, conservation or customary activities and would inhibit these activities; and 3. Activities which result in large scale development and <u>activities that result in</u> a loss of natural character within the zone.	The submitter seeks clarification on NOSZ-P3-2 to ensure that conservation activities are not avoided where they inhibit recreation, and the submitters seeks amendments to ensure the policy can be applied to private land and regional parks.
23.23	NOSZ-P4	Amend Maintain and <u>where appropriate</u> enhance recreational, cultural, and amenity values, through the management of adverse effects, by: 1. Controlling the scale and location of buildings and structures;	The submitter states that it is not appropriate to enhance the activities and values over protection of natural values, and states that this is inconsistent with Part 2 (s6) of the RMA.

		2. Improving the access to and the connections between Open Space and Recreation Zones; and 3. Manage adverse effects from activities, such as noise and light overspill, to maintain open space amenity values, <u>where</u> <u>Consistent with the protection of significant indigenous biodiversity and preservation of natural character.</u>	
23.24	NOSZ-P5	Amend Enable the following primary production activities within the Greater Wellington Regional Parks may be appropriate in existing locations but are unlikely to be appropriate at new locations: 1. Plantation forestry ; 2. Stock Grazing; 3. Bee Keeping; and 4. Quarrying activities where the works are for the management of park roads or tracks.	The submitter opposes the specific enablement of activities within the Regional Parks, stating that Council should retain discretion to decline activities in the Regional Parks. The submitter specifically states that quarrying and bee keeping may not be appropriate activities due to potential loss of indigenous biodiversity and new access requirements. The submitter also highlights how the National Environmental Standard for Plantation Forestry overrides the District Plan considerations, but the District Plan can still consider indigenous biodiversity.
23.25	Add new Policy	Insert new Policy: <u>UHCC ensures there are management plans in place to control pest animals and pest plants on UHCC natural open spaces.</u>	The submitter states that active management is required to control pest animals and pest plants.
23.26	42 Part 3- Open Space and Recreation Zones Delete existing Open Space Zone Provisions	Retain as notified	The submitter states that they support the amendment as it is appropriate.
23.27	43 Part 3- Open Space and Recreation Zones	Retain, with amendment. Revise the provisions to ensure the natural aspects of this zone are protected and remain a key	The submitter states these proposed provisions are appropriate as they apply to the Open Space Zone and not the Natural Open Space Zone, but the

	Add Open Space Zone provisions	characteristic of this zone in Upper Hutt. For example, see below.	submitter seeks the provisions to better reflect the open and natural feeling of the zone which people enjoy.
23.28	OSZ-O2	Amend: “1. A sense of <u>naturalness and</u> openness is maintained through a low level and density of development”	The submitter states that nature and naturalness are important characteristics of the open space zone and the proposed objective needs to reflect this.
23.29	40 Part 3- General Industrial Zone Amend GIZ-Figure 1 to show full site as General Industrial, removing open space zoning.	Split the zone to carve out the forested hill area as Natural Open Space.	The submitter opposes the proposed zoning.

Submission Point	Provision	Decision Sought	Reasons
Submitter 24: Fire and Emergency New Zealand			
24.1	NOSZ-O2	Retain as notified	The submitter supports this objective on the basis that the low scale of development and built form reduces fire hazard to people and property.
24.2	NOSZ-P4	Retain as notified	The submitter supports this policy on the basis that the control of the scale and location of development reduces fire hazard to people and property.
24.3	NOSZ-R1	Amend rule with the following additional standard and update to: NOSZ-R1 Buildings and structures including alterations, additions and relocated buildings 1. Activity Status: PER Where: a) Compliance is achieved with: i. NOSZ-S1; ii. NOSZ-S2; and iii. NOSZ-S3; <u>and</u>	The submitter partly supports the proposed rule, considering the standards will have a reduced fire risk to people and buildings based on bulk and location standards. The submitter requests an amendment to add an additional standard for water supply to be provided to new buildings.

		<u>iv. NOSZ-S4.</u> 2. Activity Status: RDIS Where: a) compliance is not achieved with i. NOSZ-S1 ii. NOSZ-S2; and iii. NOSZ-S3; <u>and</u> <u>iv. NOSZ-S4.</u> Matters of discretion are restricted to: b) The matters of discretion in any infringed standard.	
24.4	New standard	Add new standard as follows: <u>NOSZ-S4 Buildings and structures that require water supply must be connected to a public reticulated water supply where one is available.</u> <u>Where new buildings and structures have no available connection to a public reticulated water supply, or where the level of service required exceeds the level of service the reticulated water system provides, it must be demonstrated how an alternative and satisfactory firefighting water supply can be provided in accordance with the Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u> <u>Further advice and information about how adequate and accessible firefighting water supply can be provided to new developments, including alternative and satisfactory methods, can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	The submitter requests a new standard be added to require firefighting water supply for buildings and structures, due to the risk that new buildings are not protected from fire hazard, which is especially important in the remote and inaccessible areas of the proposed Natural Open Space zone. The submitter also highlights how the existing UHCC engineering code of practice references the outdated SNA PAS 4509:2003.

S24.5	OSZ-O2	Retain as notified.	The submitter supports this objective as spaces in the zone seek to positively contribute to health and wellbeing, and buildings and structures will be of a low density within the zone.
S24.6	OSZ-P2	Retain as notified.	The submitter supports this policy on the basis that the control of the scale and location of development reduces fire hazard to people and property.
S24.7	OSZ-R1	Amend rule with the following additional standard which also corrects the numbering error where rule (1)(a)(i) is repeated twice: OSZ-R1 Buildings and structures including alterations, additions and relocated buildings 1. Activity Status: PER Where: a) Compliance is achieved with: i. OSZ-S1; ii. OSZ-S2; iii. OSZ-S3; iv. OSZ-S4; and v. OSZ-S5; <u>and</u> vi. <u>OSZ-S6.</u> 2. Activity Status: RDIS Where: a) compliance is not achieved with i. OSZ-S1; ii. OSZ-S2; iii. OSZ-S3; iv. OSZ-S4; and v. OSZ-S5; <u>and</u> vi. <u>OSZ-S6.</u> Matters of discretion are restricted to:	The submitter partly supports the proposed rule considering the standards will have a reduced fire risk to people and buildings based on bulk and location standards. The submitter requests an amendment to add an additional standard for water supply to be provided to new buildings. The submitter also highlights an error in the duplication of rule (1)(a)(i).

		b) The matters of discretion in any infringed standard.	
S24.8	New standard	Add new standard as follows: <u>OSZ-S6</u> <u>Buildings and structures that require water supply must be connected to a public reticulated water supply where one is available.</u> <u>Where new buildings and structures have no available connection to a public reticulated water supply, or where the level of service required exceeds the level of service the reticulated water system provides, it must be demonstrated how an alternative and satisfactory firefighting water supply can be provided in accordance with the Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u> <u>Further advice and information about how adequate and accessible firefighting water supply can be provided to new developments, including alternative and satisfactory methods, can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	The submitter requests the addition of the new standard requiring the provision of firefighting water supply and access for buildings and structures, based on the uncertainty if this is addressed in the current District Plan.
24.9	SARZ-O2	Retain as notified.	The submitter supports this objective as spaces in the zone seek to positively contribute to health and wellbeing, and buildings and structures will be of a low density within the zone.
24.10	SARZ-P2	Retain as notified.	The submitter supports this policy on the basis that the control of the scale and location of development reduces fire hazard to people and property.
24.11	SARZ-R1	Amend rule with the following additional standard: SARZ-R1	The submitter partly supports the proposed rule considering the standards will have a reduced fire

		Buildings and structures including alterations, additions and relocated buildings 1. Activity Status: PER Where: a) Compliance is achieved with: i. SARZ-S1; ii. SARZ-S2; iii. SARZ-S3; iv. SARZ-S4; and v. SARZ-S5; <u>and</u> vi. <u>SARZ-S6</u> 2. Activity Status: RDIS Where: a) compliance is not achieved with i. SARZ-S1; ii. SARZ-S2; iii. SARZ-S3; iv. SARZ-S4; and v. SARZ-S5; <u>and</u> vi. <u>SARZ-S6.</u> Matters of discretion are restricted to: b) The matters of discretion in any infringed standard.	risk to people and buildings based on bulk and location standards. The submitter requests an amendment to add an additional standard for water supply to be provided to new buildings. The submitter states that connections to reticulated water supplies will be easily achievable in most cases for this zone due to its largely urban location.
24.12	New standard	Add new standard as follows: <u>SARZ-S6</u> <u>Buildings and structures that require water supply must be connected to a public reticulated water supply where one is available.</u> <u>Where new buildings and structures have no available connection to a public reticulated water supply, or where the level of service required exceeds the level</u>	The submitter requests the addition of the new standard requiring the provision of firefighting water supply and access for buildings and structures, based on the uncertainty if this is addressed in the current District Plan.

		<u>of service the reticulated water system provides, it must be demonstrated how an alternative and satisfactory firefighting water supply can be provided in accordance with the Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u> <u>Further advice and information about how adequate and accessible firefighting water supply can be provided to new developments, including alternative and satisfactory methods, can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u>	
--	--	---	--

Submission Point	Provision	Decision Sought	Reasons
Submitter 25: CBDI Limited			
25.1	Proposed zoning	Retain the removal of the Open Space zoning from the hill at the rear of 27 Blenheim Street and rezones the hill to General Industrial.	The submitter supports the proposed rezoning at the rear of 27 Blenheim Street. The submitter states that the existing open space zoning on the site is not reflective of it's use and ownership, but that the proposed new zoning is reflective of the site's established use. The submitter states that the site has never been publicly owned, is not publicly accessible, and is not rural land for farming and primary production. The submitter further states that the draft Significant Natural Area that has been identified on the rear of the site provides will mean the rezoning

			will not have adverse effects on the indigenous vegetation present.
25.2	Proposed zoning	That the existing operative zoning of the remainder of the site (excluding the hill) at 27 Blenheim Street is retained and is not rezoned by Proposed Plan Change 49.	The submitter states that there is a discrepancy in the proposed rezoning maps, where the zoning maps only rezone the hillside portion of 27 Blenheim Street, whilst the proposed plan change track changes proposes a rezoning of the entire site at 27 Blenheim Street from the operative Business Industrial to the proposed General Industrial. The submitter does not support the map shown in the tracked changes version of the plan change, stating that any zoning change to the existing business industrial zoning is out of scope of Plan Change 49. The submitter contends that any future rezoning of the business industrial land at 27 Blenheim Street should be done as part of the review of the operative District Plans Business Zone.

Submission Point	Provision	Decision Sought	Reasons
Submitter 26: Greater Wellington Regional Council			
26.1	Whole Plan Change	Until the Natural Hazard plan change becomes operative, we request that hazard management activities currently covered by the existing Operative District Plan are retained for the Open Space and Recreation Zones.	The submitter seeks the proposed amendment to prevent any impact on the flood protection works which the submitter undertakes within the proposed Open Space and Recreation Zones whilst the Natural Hazards plan change is developed, and to prevent inappropriate subdivision and development in areas of high flood risk to give effect to RPS Policy 51.
26.2	Whole Plan Change	Recommend that all Natural Open Space Zone matters for control and matters of discretion should be	The submitter provides the recommendation on the basis that the Operative District Plan does not currently provide sufficient protection of indigenous

		amended to include consideration of indigenous biodiversity values	biodiversity, including failing to give effect to the relevant Policies within the Regional Policy Statement (Policies 23-28 and Policy 47). The submitter states that the proposed objectives and policies for the Natural Open Space Zone do not give enough weight to indigenous biodiversity values, and that activities in the Natural Open Space Zone should be controlled to consider effects on indigenous biodiversity.
26.3	Whole Plan Change	Suggest that UHCC could consider whether similar amendments to the Open Space Zone provisions might be appropriate, whereby indigenous biodiversity values could be considered alongside character and amenity values. Similarly, UHCC could consider including protection of significant indigenous biodiversity in the matters of control for provisions in the Subdivision in the Open Space and Recreation Zones chapter	The submitter provides the recommendation on the basis that the Operative District Plan does not currently provide sufficient protection of indigenous biodiversity, including failing to give effect to the relevant Policies within the Regional Policy Statement.
26.4	Preamble	Amend the last paragraph of the natural open space chapter preamble as follows: ...Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the relevant administering authority where necessary. This is in addition to any requirements under the District Plan and the Act. All activities will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977). <u>Any activities within a regional park will also need to comply with the requirements of the park management plan.</u>	The submitter seeks an amendment to the proposed wording to indirectly provide reference the relevant park management plans.

26.5	NOSZ-O2 Character and Amenity Values of the Natural Open Space Zone	Support with amendment Activities and development within the Natural Open Space Zone maintain the amenity values, <u>indigenous biodiversity values</u> and natural character of the Natural Open Space Zone by ensuring that they are of an appropriate scale, including: 1. A low scale and level of development and built form which is purposed to support appropriate activities; 2. Indigenous vegetation is retained with associated natural and ecological value; and 3. Spaces are accessible and positively contribute to health and wellbeing of communities.	The submitter proposes an amendment to the wording of the proposed objective to give effect to Regional Policy Statement Policy 47.
26.6	NOSZ-O3 Recognising Regional Parks	Amend to: Enable a diverse range of activities within Regional Parks, which are compatible with the purpose, natural character, <u>indigenous biodiversity</u> and amenity values of the Natural Open Space Zone, that recognise their contribution to the open space network of Upper Hutt.	The submitter proposes an amendment to the wording of the proposed objective to give effect to Regional Policy Statement Policy 47.
26.7	NOSZ-P1 Compatible Activities	Amend to: Enable Informal sports and passive recreation activities, conservation, and customary activities, which are of an appropriate scale within the Natural Open Space Zone that are compatible with the natural character, <u>indigenous biodiversity</u> and amenity values of the site.	The submitter proposes an amendment to the wording of the proposed policy to give effect to Regional Policy Statement Policy 47.
26.8	NOSZ-P2 Appropriate Development	Amend to: Provide for built development including: 1. Buildings & structures; 2. Walking and cycling tracks; 3. bridleways;	The submitter proposes an amendment to the wording of the proposed policy to give effect to Regional Policy Statement Policy 47.

		4. Parking areas; and 5. Parks Facilities, designed, located and at a scale, to support informal sports and recreation activities, conservation, and customary activities that do not adversely affect the natural character, <u>indigenous biodiversity</u> and amenity values of the Natural Open Space Zone.	
26.9	NOSZ-P3 Inappropriate activities and development	Amend to: Avoid activities or developments which are incompatible with the natural character, <u>indigenous biodiversity</u> and amenity values of the Natural Open Space Zone, including avoiding: 1. Motorised recreation outside of specified areas in NOSZ-R11; 2. Activities or development which inhibit recreational, conservation or customary activities; and 3. Activities which result in large scale development and a loss of natural character <u>or indigenous biodiversity values</u> within the zone.	The submitter proposes an amendment to the wording of the proposed policy to give effect to Regional Policy Statement Policy 47.
26.10	NOSZ-P4 Protecting Purpose, Amenity and Character	Amend to: Maintain and enhance recreational, cultural, <u>indigenous biodiversity</u> and amenity values, through the management of adverse effects, by: 1. Controlling the scale and location of buildings and structures; 2. Improving the access to and the connections between Open Space and Recreation Zones; and 3. Manage adverse effects from activities, such as noise and light overspill, to maintain open space <u>dark sky, indigenous biodiversity and amenity values</u>	The submitter proposes an amendment to the wording of the proposed policy to give effect to Regional Policy Statement Policy 47, and further amendments to align the proposed policy with the Toitū Te Whenua Parks Network Plan 2020-30.
26.11	NOSZ-P5 Primary Production within Regional Parks	Amend to add 'orchards' as an enabled activity	The submitter proposes an amendment to the wording of the proposed policy to align the

			proposed policy with the Toitū Te Whenua Parks Network Plan 2020-30.
26.12	NOSZ-S1	Amend to include indigenous biodiversity values. Matters of discretion where this standard is not met are restricted to: a) The extent of the effect of the height breach on the Natural Open Space Zones natural character, <u>indigenous biodiversity values</u> and amenity values	The submitter proposes an amendment to the wording of the proposed standard to give effect to Regional Policy Statement Policy 47.
26.13	NOSZ-S2	Amend to include indigenous biodiversity values. Matters of discretion where this standard is not met are restricted to: a) The extent of the effect of the site coverage breach on the Natural Open Space Zones natural character, <u>indigenous biodiversity values</u> and amenity values	The submitter proposes an amendment to the wording of the proposed standard to give effect to Regional Policy Statement Policy 47.
26.14	NOSZ-S3	Amend to include indigenous biodiversity values. Matters of discretion where this standard is not met are restricted to: a) The extent of the effect of the gross floor area breach on the Natural Open Space Zones natural character, <u>indigenous biodiversity values</u> and amenity values	The submitter proposes an amendment to the wording of the proposed standard to give effect to Regional Policy Statement Policy 47.
26.15	Natural Open Space Zone matters of control and matters of discretion	Amend all other matters for control and matters of discretion, if not already stated, to include consideration of indigenous biodiversity values.	The submitter proposes an amendment to the proposed matters of control and matters of discretion to give effect to Regional Policy Statement Policy 47.
26.16	OSZ-S1 and SARZ-S1 'Maximum height above ground level for any light pole/floodlight must not exceed 18m'	Amend by adding reference to <u>AS/NZS1158.3.1 Lighting for roads and public spaces</u> as the means of minimising light pollution.	The submitter requests an amendment to the proposed standards to include reference to a relevant lighting standard, with the intention being that the proposed standard will ensure that light pollution will be avoided by managing the selection and design of lighting provision.

26.17	Whole Plan Change	Amend all references to 'Light spill from floodlighting' throughout to also include 'over lighting'.	The submitter seeks to include consideration of over lighting in addition to the mention of light spill in the proposed plan change.
-------	-------------------	--	--

Submission Point	Provision	Decision Sought	Reasons
Submitter 27: Silverstream Railway			
27.1	Proposed Zoning	Amend zoning so that the Silverstream Spur (Legal Description SO34755) is included in Upper Hutt City Councils Plan Change 49 and is rezoned in its entirety as Natural Open Space with an official designation as a reserve under the Reserves Act 1977.	The Silverstream Railway support the general intent of the plan change but oppose the decision to not zone the Silverstream Spur as Natural Open Space. The submitter states that the Sur was always destined to be designated as a reserve.