

30 May 2023

Chris Milne  
[fyi-request-22647-4a9e8aa1@requests.fyi.org.nz](mailto:fyi-request-22647-4a9e8aa1@requests.fyi.org.nz)

Susan Sales  
Senior Advisor Official Information and Privacy  
04 570 6666 / 0800 488 824  
[Susan.Sales@huttcity.govt.nz](mailto:Susan.Sales@huttcity.govt.nz)  
Our reference: LGOIMA

Dear Chris

**Request for Information – Local Government Official Information and Meetings Act 1987:  
Notification of extension to timeframe**

We refer to your official information request dated 2 May 2023 for the following information:

- 1) All internal formal and informal meeting papers, agendas, memos, notes of meeting, and minutes relating to the addition of Beach and Bay Streets. This request does not include the public agenda papers of the District Plan Committee or Full Council.*
- 2) Any notes or memos relating to the addition of Beach and Bay Streets which are not covered by 1) above (e.g. do not concern a meeting, but do relate to the extension).*
- 3) All emails between officers and between officers and elected members, and between elected members relating to the addition of Beach and Bay Streets. "Elected Members" includes the Mayor, Councillors and the Petone Community Board.*
- 4) Any Elected Member Request questions from elected members and the answers to those questions relating to the addition of Beach and Bay Streets.*

In consideration of your communication on 3 May 2023, we have narrowed down the search to a timeframe from 1 February 2023 onwards, and for just information that is electronically available. You have also clarified that *"What I am interested in is information about the process and discussions leading to the inclusion of Beach and Bay Streets in HA08. I am not interested in general PC56 information."*

The LGOIMA requires that we advise you of our decision on your request no later than 20 working days after the day we received your request. Unfortunately, it will not be possible to meet that time limit in this instance because your information request is still substantial in the above form.

We are writing to notify you of an extension of the time to make our decision on Questions 1-3. This extension is necessary under section 14(1)(a) of the LGOIMA, because: (a) the request is for a large quantity of official information or necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of the local authority. The revised time by which we will respond to these questions is 30 June 2023.

There is one document in scope for Question 4. This is attached. Some parts of this document has been redacted under section 7(2)(a), to protect the privacy of individuals.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that our response to your information request may be published on Hutt City Council's website. Please refer to the following link: [www.huttcity.govt.nz/council/contact-us/make-an-official-information-act-request/proactive-releases](http://www.huttcity.govt.nz/council/contact-us/make-an-official-information-act-request/proactive-releases)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Susan Sales', written in a cursive style.

Susan Sales

**Senior Advisor Official Information and Privacy**



- This relates to District Plan Change 56 which is Council's response to the national direction requiring Council to change its planning rules to enable higher and denser development in some parts of the city.
- This plan change is following the Intensification Streamlined Planning Process which is a statutory process set by the Resource Management Act.
- This was a fully notified plan change meaning that anyone could make a submission. The plan change was notified on 18 August 2022 until 20 September 2022. A total of 275 submissions were received.
- Council provided all of the submissions received on its website, along with a summary of the decisions requested in the submissions.
- There was then another submission period from 10 November to 24 November when people could make a further submission in support or opposition to any of the decisions requested in the original submissions. 25 further submissions were received.
- The plan change is now being considered by an independent hearing panel. The hearing is taking place until the 28<sup>th</sup> April.
- The Voluntary Heritage Group made a submission on the plan change and last week they presented their submission at the hearing to the independent panel.

#### **Beach Street and Bay Street**

- These streets were not originally included within the proposed Petone Foreshore Heritage Area when the plan change was notified.
- Two submissions were received requesting the inclusion of these Streets within the heritage area. No further submissions were received on this.
- In response to these submissions, Council's independent qualified heritage expert reviewed the streets and found them to have heritage values consistent with the other streets in the proposed Petone Foreshore Heritage Area.
- The heritage expert therefore recommended extending the heritage area to include Beach Street and Bay Street, and Council's reporting officer agreed with this recommendation.
- This will be considered by the independent hearing panel, along with other submissions such as that from the Voluntary Heritage Group.

#### **Response to specific points raised by the Voluntary Heritage Group**

Response to concerns raised by the Voluntary Heritage Group in relation to lack of consultation:

- It is correct that the residents in Beach Street and Bay Street have not been directly contacted in relation to this matter. This is an outcome of this plan change process.
- Council is correctly following the Intensification Streamlined Planning Process which is a statutory process set by the Resource Management Act. This process prevents people from making submissions at the hearing if they did not make an original or further submission.

Response to concerns raised by the Voluntary Heritage Group that the addition of these streets to the heritage area is an attempt to avoid implementing the intensification required under the National Policy Statement on Urban Development (NPS-UD):

- The addition of these streets to the heritage area is not an attempt to avoid implementing

the NPS-UD, but is in fact an integral part of implementing the NPS-UD, which directs councils to provide for intensification in a way that also delivers on other issues of national significance identified by the RMA, such as preserving historic heritage and protecting people and property from natural hazards.

- The proposed new heritage areas in Plan Change 56 account for less than 1% of the residential properties in Lower Hutt.

#### **Next steps**

- The final decision on whether to extend the heritage area to and Bay Street and Beach Street is yet to be made.
- The decisions from the hearing panel are due by August 2023.
- The panel can recommend to Council to either accept or reject the submission point seeking the expansion of the heritage area.
- When the panel has made its recommendation on the submission, Council is then required to decide whether to accept or reject that recommendation.
- If it rejects the recommendation then the matter is referred to the Minister for the Environment, who has the final decision-making power in respect of panel recommendations that have been rejected by Council.

Ngā mihi

#### **Hamish Bell**

Elected Member Support Coordinator

Hutt City Council, 30 Laings Road, Lower Hutt 5010

**M:** s7(2)(a) **W:** [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



Released under the Local Government Official Information and Meetings Act