

# Proposed District Plan Change 26

30 SHAFTESBURY GROVE, STOKES VALLEY  
REZONING OF PART OF THE SITE AS GENERAL  
RESIDENTIAL ACTIVITY AREA

Publicly Notified:  
Submissions Close:

27 March 2012  
27 April 2012 at 5.00pm



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## **Part 1: Introduction**

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### **1. What is Proposed Plan Change 26**

The purpose of Proposed Plan Change 26 is to rezone a portion of the parcel at 30 Shaftesbury Grove, Stokes Valley to General Residential Activity Area in the City of Lower Hutt District Plan (District Plan). The property is owned by Urban Plus Ltd which is a Council Controlled Organisation. The entire property is currently within the General Recreation Activity Area of the District Plan. The area proposed to be zoned General Residential Activity Area is approximately 2.03 hectares and is generally located within the eastern portion of the site. A plan of the Site illustrating the area proposed to be rezoned is attached as Appendix 1. The remainder of the property will retain its current General Recreation Activity Area zoning. No new District Plan provisions e.g. objectives, policies, rules or standards will be introduced as a result of this proposal. The only amendments which will need to be made will be to the District Plan maps to reflect the zone change.

### **2. Reasons for the Proposed Plan Change**

Since 2007, Hutt City Council has been undertaking a review of all the land it holds in fee simple and manages as reserve (including some land classified as reserve under the Reserves Act 1977) throughout the City. The objective is to ensure all Council owned land managed as reserve is being used for its best purpose. The review includes an assessment of the open space contribution each site is making to the community and city along with an assessment of the development potential of each property.

The property at 30 Shaftesbury Grove was included in this review and it was concluded that it was currently under utilised and that it could be partly developed for residential purposes under the provisions of the District Plan for the General Residential Activity Area. Consultation with the local community in accordance with the requirements of the Local Government Act 2002 followed. At the conclusion of this consultation, Council decided to dispose of the eastern portion of the parcel, subject to the outcome of a plan change which would rezone this portion of the property to a zone which would facilitate residential development. The extent of the area proposed to be rezoned to the General Residential Activity Area is shown on the plan attached as Appendix 1. In preparation of this proposed plan change various assessments have been commissioned to assess the potential effects of the rezoning of the Site. Taking into account the advice received from experts the area initially intended to be rezoned has been reduced accordingly. An indicative development which involves the establishment of 26 residential lots is shown in Appendix 3. This development is indicative only and is not being sought as part of this plan change process.

### **3. Structure of this document**

This document contains five parts. These are as follows:

<b>Part 1</b>	Introduction
<b>Part 2</b>	Copy of the public notice of Proposed Plan Change 26 which was advertised in the Hutt News on 27 March 2012
<b>Part 3</b>	Amendment proposed to the District Plan Maps
<b>Part 4</b>	Copy of the <i>Section 32 Evaluation</i> prepared for Proposed Plan Change 26, as required by Section 74 of the Resource Management Act 1991
<b>Part 5</b>	Copy of the submission form (Form 5)

All five parts of this document are publicly available from Hutt City Council as detailed in Part 2 of this document.

#### 4. The Process of Proposed Plan Change 26

The process for preparing Proposed Plan Change 26 can be summarised as follows:

<b>March – May 2009</b>	Consultation is undertaken with the relevant parties (under the Local Government Act 2002) in relation to the disposal of the site.
<b>14 April 2010</b>	Based on the findings of the Land Review Working Group, the Strategy and Policy Committee recommends to dispose of the eastern portion of the parcel at 30 Shaftesbury Grove.
<b>04 May 2010</b>	Council resolves to dispose part of the property below Shaftesbury Grove, subject to the outcome of the plan change process.
<b>13 March 2012</b>	Proposed Plan Change 26 adopted by Council for public notification
<b>27 March 2012</b>	Proposed Plan Change 26 publicly notified

Upon notification of the proposed plan change, all interested persons and parties have an opportunity to have further input through the submission process. The process for public participation in the consideration of this proposal under the Resource Management Act 1991 is as follows:

- The period in which submissions may be made is 20 working days from the date of the Public Notice;
- After the closing date for submissions, Council must prepare a summary of the submissions and this summary must be publicly notified;
- 10 working days after the notification of the submissions there is then an opportunity to make a further submission in support of, or in opposition to, the submissions already made;
- If a person making a submission asks to be heard in support of their submission, a hearing must be held;
- Council must give its decision on the proposal in writing (including its reasons for accepting or rejecting submissions) following the hearing; and
- Any person who has made a submission has the right to appeal the Council decision on the proposal to the Environment Court.

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**Part 2: Public Notice**

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# PUBLIC NOTICE

## Public Notification of Proposed District Plan Changes 26, 27 and 28 to the City of Lower Hutt District Plan

*Clause 5 of the First Schedule – Part 1 of the Resource Management Act 1991*

Hutt City Council has prepared the following plan changes:

### **PROPOSED PLAN CHANGE 26 – 30 SHAFTESBURY GROVE, STOKES VALLEY REZONING OF A PART OF THE SITE AS GENERAL RESIDENTIAL ACTIVITY AREA**

Proposed Plan Change 26 proposes to rezone part of the property at 30 Shaftesbury Grove, Stokes Valley (Lot 2 DP 433614, Certificate of Title 527910) which is owned by Urban Plus Ltd (a Council Controlled Organisation) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change will enable subdivision and development of a part of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan. The remaining part of the site will be retained as General Recreation Activity Area.

### **PROPOSED PLAN CHANGE 27 - 151 HOLBORN DRIVE, STOKES VALLEY REZONING OF PART OF THE SITE AS GENERAL RESIDENTIAL ACTIVITY AREA**

Proposed Plan Change 27 proposes to rezone part of the Council owned land at 151 Holborn Drive, Stokes Valley (Part Lot 3 DP 20917 and Part Lot 8 DP 20501, Certificate of Title WNB3/881 and Part Section 199 Hutt District (SO 10500), Certificate of Title WN966/66) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change will enable subdivision and development of part of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan. The remaining part of the site will be retained as General Recreation Activity Area.

### **PROPOSED PLAN CHANGE 28 – PARKSIDE ROAD, GRACEFIELD ZONING AS GENERAL BUSINESS ACTIVITY AREA**

Proposed Plan Change 28 proposes to zone a parcel of Council owned land at the intersection of Parkside Road and Bell Road South in Gracefield as General Business Activity Area. At present the land is identified as road in the District Plan and has no zoning. Council is currently initiating the process of stopping the legal road on this site and the proposed plan change will ensure that the land will have a zoning when the legal road is stopped and that this zoning is consistent with its current use and the zoning of adjoining properties.

Documentation for Proposed Plan Changes 26, 27 and 28 can be inspected at:

- All Hutt City Council Libraries; and
- Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt.

Alternatively, copies of the documentation are available on the Council website:

- <http://www.huttcity.govt.nz/Your-Council/Plans-and-publications/District-Plan/District-Plan-changes/>

Copies can also be requested by contacting Hutt City Council:

- Phone: (04) 570 6666 or
- Email: [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz)

## Submissions close on FRIDAY 27 April 2012 at 5.00pm

Any person may make a submission on Proposed Plan Changes 26 to 28. You may do so by sending a written submission to Council:

- Post: Environmental Policy Division, Hutt City Council, Private Bag 31912, Lower Hutt 5040;
- Deliver: Council Administration Building, 30 Laings Road, Lower Hutt;
- Fax: (04) 566 6799;
- Email: [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz)

The submission must be written in accordance with RMA Form 5 and must state whether or not you wish to be heard in respect of your submission. Copies of Form 5 are available from all of the above locations and the Council website.

The process for public participation in the consideration of this proposal under the Act is as follows:

- after the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified; and
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- Hutt City Council must give its decision on the proposal (including its reasons for accepting or rejecting submissions); and
- any person who has made a submission has the right to appeal the decisions on the proposal to the Environment Court.

Tony Stallinger  
Chief Executive

27 March 2012

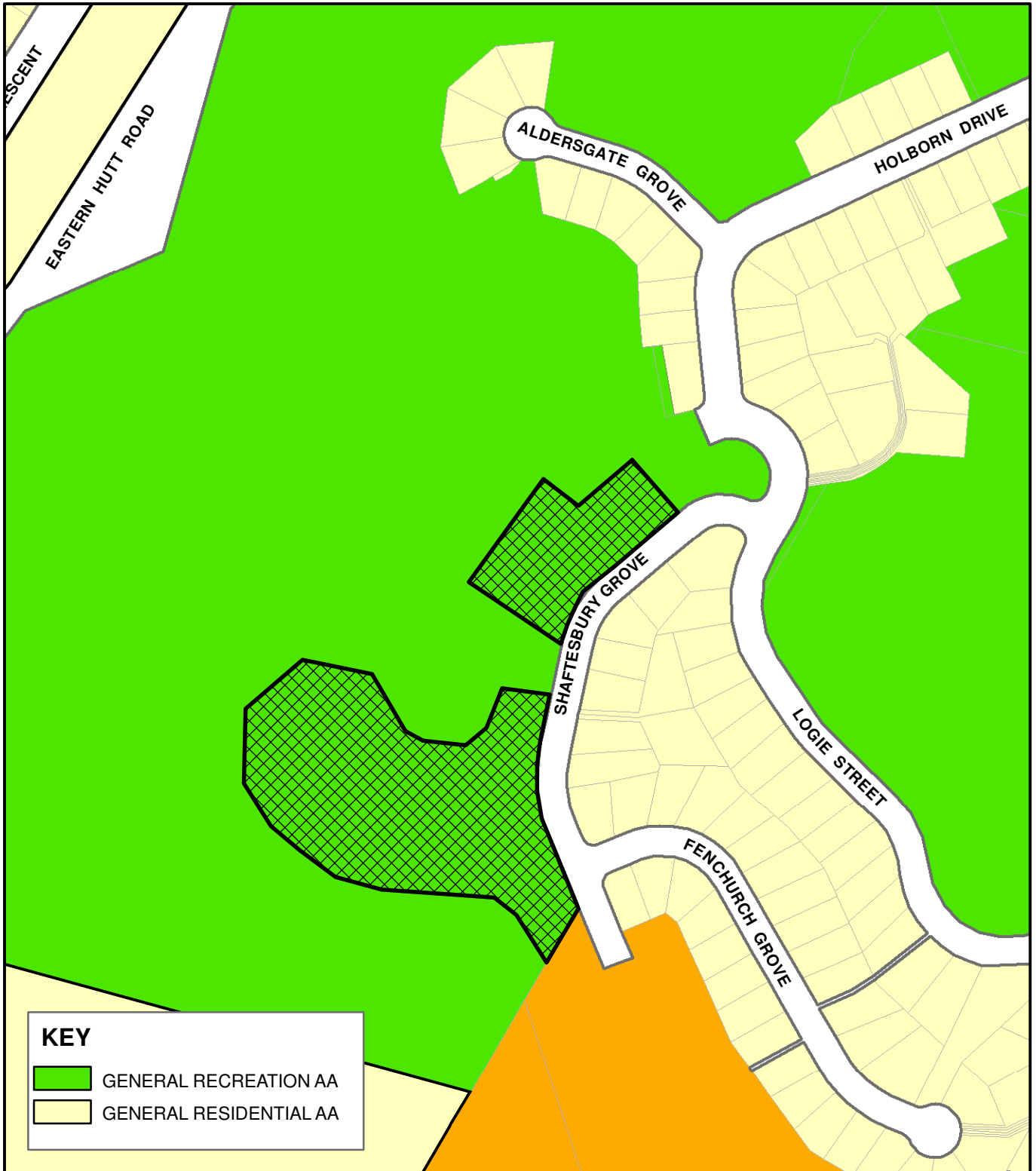


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**Part 3:**  
**Proposed Plan Change 26**  
**Amendments to District Plan Map**


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## Proposed Plan Change 26

30 Shaftesbury Grove, Stokes Valley (Lot 2 DP 433614)

 Land to be zoned General Residential Activity Area

Planning Map G2





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## Part 4: Section 32 Evaluation

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### 1. INTRODUCTION

Prior to the public notification of a plan change, Section 32 of the Resource Management Act 1991 (the Act) requires Council to undertake an evaluation of the plan change, and to prepare a report outlining the basis and outcome of the evaluation. The purpose of the evaluation is to assess the benefits and costs of the plan change against the purpose of the Act. Section 32 of the Act states:

- (3) *An evaluation must examine—*
  - (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
  - (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *An evaluation must take into account—*
  - (a) *The benefits and costs of policies, rules, or other methods; and*
  - (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

This report, prepared in accordance with Section 32, evaluates the proposal to rezone the eastern portion of 30 Shaftesbury Grove, Stokes Valley from General Recreation Activity Area to General Residential Activity Area. The Section 32 analysis will not address the issue of the sale of publicly owned land as this is not a matter which requires consideration under the Resource Management Act 1991.

### 2. DESCRIPTION OF THE SITE

#### Physical Description

The proposed plan change would rezone part of a parcel of land at 30 Shaftesbury Grove, Stokes Valley to General Residential Activity Area in the City of Lower Hutt District Plan. The property is owned by Urban Plus Ltd, a Council Controlled Organisation. The parcel is situated on the eastern hills of the Hutt Valley and shares several boundaries with the local roading network including, Whitechapel Grove, Aldersgate Grove, Holborn Drive, Eastern Hutt Road and Shaftesbury Grove. It does not contain any buildings and has a general slope angle of between, 28 to 35 degrees. There are three significant gully heads within the area, the majority of which are covered in regenerating native vegetation. Several spurs separate the gullies and tend to be covered in gorse, low level regenerating native vegetation and pest plant species.

Located with the eastern portion of the property are two small, slightly sloping areas of cleared space, which have been grassed. These cleared areas have frontages onto Shaftesbury Grove and Holborn Drive and do not contain any formal recreational infrastructure.

#### Legal Description

The property is legally described as Lot 2 DP 433614, is approximately 22.8012 hectares in area and is held in Computer Freehold Register 527910.

The parcel is zoned as General Recreation Activity Area of the City of Lower Hutt District Plan and the majority (with the exception of the eastern portion) is situated within Significant Natural Resource 50 as identified in the District Plan. This Significant Natural Resource is identified as Stokes Valley Bush which is recognised as lowland forest on hill country, containing the only Pukatea forest remnant in the region. This forest forms the habitat for various life forms such as the Common Green Gecko and the Whitehead, and contains the Kotukutuku plant species. While not being gazetted as reserve under the Reserves Management Act, the area is currently managed as a Reserve under Council's Reserve Management Plan.

This proposed plan change only refers to the eastern part of the parcel and comprises approximately 2.03 hectares of the total area of the parcel. A plan of the Site illustrating the area proposed to be rezoned is attached as Appendix 1. The area of the proposed plan change is hereafter referred to as 'the Site'.

### **3. HISTORICAL PLANNING REVIEW OF THE SITE**

A review has been undertaken of the previous Hutt County District Schemes, Transitional District Plan, Proposed District Plan and the Operative District Plan. The first record of zoning which can be found for this property is the District Scheme which became operative in 1961. Within this scheme, the plan change site was zoned Residential A. The Site retained its residential zone under District Scheme Review 2 in 1973. Under District Scheme Review 3, the zoning of the Site was altered so that the northern portion was within the recreation zone whereas the southern portion remained within the residential zone. Under the Proposed District Plan, the Site was zoned General Recreation Activity Area as well as being identified as being partly within the Stokes Valley Bush Significant Natural Resource. The Site maintained this General Recreation Activity Area zoning with the Significant Natural Resource overlay in the Operative District Plan.

### **4. BACKGROUND**

Since 2007 the Hutt City Council has been undertaking a review throughout Lower Hutt of all the land held in fee simple ownership and managed as reserve (including some land classified as reserve under the Reserves Act 1977). The objective is to ensure all Council owned land managed as reserve is being used for its best purpose. The review includes an assessment of the open space contribution each site is making to the community and city along with an assessment of the development potential of each site. The Hutt City Council Strategy and Policy Committee (now Policy Committee) reviews these reports and makes a recommendation on the future of each site. The recommendation is publicly notified, as required under the Local Government Act 2002 or the Reserves Act 1977 (whichever is applicable), and submissions called for from the public. After consideration of submissions the Council makes a decision on each site, such as whether to retain the site as reserve or to consider releasing the site or part thereof for sale.

In the case of this property the intention to dispose part of the parcel was publicly notified on 24 March 2009. At the close of the notification period, 16 submissions were received from the local community which generally opposed the disposal of this site as well as other land managed by the Parks and Gardens Team in the surrounding area.

The submissions were heard at the Strategy and Policy Committee meeting on 20 May 2009. The Committee recommended to the Council to dispose of the eastern portion of the parcel on the basis that the Land Review Working Group would approve the specific area once they had considered further geotechnical information.

In November 2009 the geotechnical report for the Site was received (Appendix 9). After considering this report Council resolved in May 2010 to dispose of the eastern portion of the parcel in accordance with the boundaries identified on the indicative subdivision plan (subject to the outcome of the plan change).

As part of the land review process and the preparation of this proposed plan change two indicative development options have been prepared for the Site to provide guidance on the extent of the area to be rezoned to General Residential Activity Area.

Option 1 is shown on the Tonkin & Taylor Plan in Appendix 3 and consists of the formation of 26 allotments along the two spurs of the Site. This development option would involve the construction of a new cul-de-sac along the major (southern) spur, which could provide access to up to 20 allotments. A second cluster of up to 6 allotments could be located to the north on the Site's minor spur.

The second potential development option would involve a loop road serving 41 allotments. This option would involve filling the gully between the major and minor spurs on Site. The indicative development plan for Option 2 is shown on the Tonkin & Taylor Plan in Appendix 4.

After receiving expert reports (Landscape and Ecological Assessment), it was decided that rezoning the Site to allow for a development similar to Option 2 was inappropriate. For the purposes of this proposed plan change, the potential General Residential Activity Area zone boundary will approximately follow the boundaries of the indicative development identified as Option 1. On this basis, all consideration of the environmental effects and policy implications of this proposed plan change have been undertaken on the premise that the portion of the parcel to be rezoned would allow for a development similar to that identified in Option 1. The proposed General Residential Activity Area zone boundaries would not allow for a development similar to that proposed under Option 2.

The Site is currently zoned General Recreation Activity Area in the City of Lower Hutt District Plan. Within this zone, any activities which are not generally associated with recreation activities are classified as discretionary activities (including residential development). This proposed plan change is seeking to rezone the eastern portion of 30 Shaftesbury Grove to General Residential Activity Area to facilitate residential development. The remainder of the property not subject to this proposed plan change will retain its current zoning, being General Recreation Activity Area.

The western portion of the area subject to the proposed plan change is situated within Significant Natural Resource 50 as identified in the District Plan. This Significant Natural Resource is identified as Stokes Valley Bush which is recognised as lowland forest on hill country, containing the only Pukatea forest remnant in the region. This forest forms the habitat for various life forms such as the Common Green Gecko and the Whitehead, and contains the Kotukutuku plant species. There are many examples within the Hutt Valley of residential properties being within a Significant Natural Resource and no changes to the boundaries of this area or the relevant rules of the District Plan are proposed as part of this plan change.

If the portion of the site subject to this proposed plan change is rezoned to be General Residential Activity Area, it is anticipated that a 26 lot subdivision could be undertaken on this area (as identified on the indicative plan within Appendix 3). This subdivision would comply with the minimum allotment design and standards of the Subdivision Chapter and the provisions of the General Residential Activity Area of the City of Lower Hutt District Plan, and would also be consistent with the wider character of the local environment.

Access to the proposed allotments could be gained via a new cul-de-sac and right of way off Shaftesbury Grove, as shown on the indicative subdivision plan in Appendix 3.

It should be noted that the subdivision plan shown in Appendix 2 is only an indicative development demonstrating what could be undertaken on the property, if this portion of the parcel is rezoned General Residential Activity Area. The indicative subdivision shown on this plan is not being applied for as part of this plan change process. Any subdivision of the Site would be subject to a more detailed design and would require a separate resource consent application.

## **5. ENVIRONMENTAL EFFECTS**

This section considers the potential environmental effects resulting from rezoning the eastern portion of 30 Shaftesbury Grove, Stokes Valley to General Residential Activity Area. An assessment of the potential environmental effects of the proposed plan change contributes to the overall evaluation of whether rezoning the Site to General Residential Activity Area is appropriate in terms of achieving the purpose of the Act.

The potential environmental effects of the proposed plan change discussed below relate to amenity, character and landscape effects, ecological effects, effects on recreation values, traffic effects, effects on infrastructure and effects relating to land stability and erosion.

### **5.1 Amenity, Character and Landscape Effects**

The proposed plan change is seeking to rezone the eastern portion of the parcel to General Residential Activity Area. This would enable residential development of this part of the site to a minimum allotment size of 400m<sup>2</sup>, which could give a density of approximately 26 residential lots, in addition to a road. These lots would be able to comply with the net site area and shape factor requirements of the General Residential Activity Area and the Subdivision Chapter of the District Plan.

The area of the parcel subject to the proposed plan change is situated on the upper ridgeline of the eastern hills of the Hutt Valley. A report has been prepared by Drakeford Williams Landscape Architects Ltd to assess the impact of the landscape and visual effects created by the proposed plan change (Appendix 5 contains a copy of this report).

The assessment considers that future residential development of the Site would reflect the existing development form along the ridgeline of the eastern hills. Residential development in this area is generally confined to the top of the spurs that protrude from the ridgeline down towards the valley floor. The valleys and steep face of the hills remain relatively untouched and natural. The proposed development follows this pattern, with residential development and roading generally confined to the major and minor spurs of the site, while maintaining the extensive band of vegetation along the hillside that separates the ridgeline from the valley floor which provides the backdrop to the city.



The landscape report uses the existing development at Aldersgate Grove as a benchmark for the effects which could result from the proposed plan change. Aldersgate Grove runs from the top of the ridgeline down a major spur that extends down towards the valley floor. Residential allotments surround the cul-de-sac, with multi-level dwellings located close to the road and extending down the hillside to maximise floor area. The possible development for the proposed plan change site follows this pattern of roading and allotment design, but would be situated at a significantly higher elevation along the ridgeline. Unlike Aldersgate Grove, the area of the proposed plan change is comprised of significantly more flat land along the top of the ridgeline. Any potential development on the Site will therefore not extend as far down the hillside, will be less visually prominent and will maintain more of the natural character and vegetation of the hillside than the development at Aldersgate Grove.

The landscape report recognises that the visual amenity of residents in the vicinity of the Site may be affected by the plan change. Residents in Shaftesbury Grove and Aldersgate Grove have views of the Site and to the distant hills to the west and south. The report concludes that residential development of the Site will not significantly affect the visual amenity for several reasons. These include:

- The majority of the Site is situated below the level of Shaftesbury Grove and any future development would be at or below this level.
- The vegetation on Site that would be removed is not visually significant, being comprised of mostly low gorse and scrub.
- The rules of the District Plan will control the height and scale of development, so existing views to the distant hills should be maintained.
- If the Site was not developed, over time the natural progression of vegetative growth would restrict the views of residents

The Landscape Report does recognise that the rear of some allotments and some infrastructure is likely to partially extend into the valleys and steep faces of the hillside, but the report states that if certain mitigation measures are employed then the effects of this on the landscape and visual amenity of the area will be insignificant. These measures include:

- Restricting vegetation removal and earthworks to building platforms, especially on allotments which extend down onto the steep hillsides where more mature vegetation is situated.
- Design and install infrastructure so as to minimise vegetation clearance.
- Protect significant trees on the Site

It should be noted that any subdivision of the Site would require resource consent. The District Plan identifies the criteria which must be taken into account when considering an application for consent. These criteria include:

*“Subdivisions should be designed in a manner which recognises and gives due regard to the natural and physical characteristics of the land and adverse effects are avoided, remedied or mitigated.”*

This assessment criterion allows the mitigation measures identified above to be incorporated into the design of the subdivision, to ensure the effects resulting from the development of the Site are less than minor.

The existing rules in the District Plan for subdivision, vegetation removal and earthworks will provide protection for the character and amenity values of the surrounding area. Any future subdivision of the Site would require resource consent and would be subject to the conditions and standards of the District Plan. Adverse effects of a subdivision and measures to avoid,

remedy or mitigate adverse effects are assessed in the resource consent process. A subdivision of the Site for residential development is likely to be a restricted discretionary activity if a significant amount of earthworks is required to form roads and retaining walls and to prepare building platforms. Matters that can be addressed when assessing a restricted discretionary subdivision include the effects of earthworks on visual amenity values, construction effects, effects on natural landforms and features, avoidance or mitigation of natural hazards and erosion and sediment management.

If the Site is rezoned as General Residential Activity Area it is likely that a future subdivision would also seek resource consent to remove vegetation from the Site and the effects of the vegetation removal would be assessed at subdivision stage. The existing rules for the General Residential Activity Area limit vegetation clearance to 35% of the area of a Site or 500m<sup>2</sup>, whichever is the lesser. Vegetation removal of more than 35% of the Site area of the property or 500m<sup>2</sup> (whichever is the lesser) is a Restricted Discretionary Activity. One of the matters which Council has restricted its discretion to is the effects on the amenity values of the area. It is considered that the potential amenity effects which may arise from continued vegetation clearance on any future properties can be adequately addressed by the existing rules for the General Residential Activity Area.

It is also noted that while the entire parcel is covered with vegetation of various species and densities, the area subject to the plan change is generally covered by gorse scrub, with small areas of manuka, pine, broadleaf trees and tussock. It is considered that the character and landscape values of the area will be maintained given the large amount of vegetation which is to remain on the balance of the parcel. Furthermore, the vegetation likely to be removed is not visually significant as it is comprised of low gorse, scrub and manuka.

The existing permitted activity conditions for the General Residential Activity Area would also ensure that any future development on the plan change site would be similar in density, size and scale to the existing housing developments which are located within the surrounding environment. These permitted activity conditions would control the height, location and size of any potential future dwellings. It is considered these existing permitted activity conditions are sufficient to control any effects resulting from the future development of the Site and no changes are sought to these existing rules as part of this proposal.

In considering the character and visual amenity effects associated with rezoning the Site to General Residential Activity Area, it is recognised that the majority (89%) of the parcel will remain zoned General Recreation Activity Area. The retention of the current zoning over the majority of the property will contribute to maintaining the current landscape and character values of the area.

Overall, it is considered that any effects of the proposed plan change on the environment relating to amenity, character and landscape values can be appropriately addressed by the District Plan.

## **5.2 Traffic Effects**

The potential traffic related effects of the proposal to rezone the Site to General Residential Activity Area and the resulting residential development have been assessed. Traffic Design Group Ltd prepared a report for the proposed plan change (Appendix 6). This report focused on the traffic effects which could result from potential development enabled by the change in zoning and whether any traffic safety or efficiency effects would arise within the existing traffic environment.

The traffic assessment was prepared for both indicative development options. The traffic report has assessed the local transport environment, including its capacity, and the impact of the indicative developments on this environment. The report concludes that in terms of traffic effects, subject to appropriate design, the Site represents a suitable location for residential zoning. The traffic assessment further concludes that the local road network could accommodate the additional traffic generated from the expected level of development, without compromising the network's safety and efficiency. In addition, the Site would be able to accommodate appropriate road layout, access, street design and parking so that there would be no resulting internal traffic safety and efficiency effects.

Overall, it is considered that the potential traffic effects can be appropriately addressed by the existing District Plan rules and the proposed plan change would not result in any significant traffic effects.

### **5.3 Ecological Effects**

An ecological assessment has been undertaken by Blaschke and Rutherford Environmental Consultants to assess the ecological values associated with the Site and the actual and potential ecological effects associated with the proposed plan change (see Appendix 7).

The report explains the historic and current composition of vegetation on the overall site. The original vegetation would have consisted of dense broadleaf forest dominated by hard beech. This was most likely cleared in the late 19th century during European settlement of the area and the site used for grazing and subject to regular fire for many decades. However, some small portions of the parcel, particularly in and around gullies, were protected from such effects and contain remnant primary forest.

Within the report the current vegetation composition on the overall area has been classified into five categories, arranged approximately from oldest to youngest as follows:

- Hard beech broad leaved forest
- Radiata pine over broadleaved treeland
- Manuka and treefern dominated scrub and low forest
- Gorse scrub
- Gahnia tussockland

The report recognises that a large portion of the parcel is situated within Significant Natural Resource (SNR) 50, as identified within the District Plan. This SNR is described as Stokes Valley Bush which is recognised as lowland forest on hill country, containing the only Pukatea forest remnant in the region. The property is also adjacent to several other Significant Natural Resources along the eastern hills with similar descriptions, and therefore forms part of a significant band of native vegetation within the Hutt Valley. As previously noted, the majority of the eastern portion of the site subject to this proposed plan change is not situated within this Significant Natural Resource.

The report identifies the ecological values of the parcel. The balance of the property which is not subject to the proposed plan change is considered ecologically significant. This portion is situated within SNR 50, is part of the significant band of vegetation along the eastern hills and provides potential for ecological linkages between the eastern and western hills. Furthermore the vegetation in this area has been free from disturbance for over 50 years, includes some undisturbed original forest and provides a good habitat for many bird species. This contrasts with the Site subject to the proposed plan change, which has been assessed to be of low to moderate ecological significance. The vegetation on the Site is mostly recent

regeneration and is only significant in that it provides a buffer to more significant vegetation. The report also recognises that the overall site is part of a land environment that is no longer common place and is relatively under protected, which increases its ecological significance.

The report identifies the adverse ecological effects that would arise if a development similar to that shown on the indicative plan in Appendix 3 was undertaken. The major effect would be the potential loss of some native vegetation and habits, including a small portion located within SNR 50, to create allotments and provide infrastructure for future development.

Approximately 1.56 hectares of vegetation would potentially be cleared to create allotments and road as shown in the indicative development plan, but the report states that this vegetation is of low ecological value as it is comprised of mostly gorse scrub and tussockland with some broadleaved forest.

Additional vegetation would potentially be cleared to facilitate construction of sewer and stormwater infrastructure. Approximately 540m<sup>2</sup> and 2550m<sup>2</sup> of vegetation would need to be cleared to provide for stormwater and sewer infrastructure respectively. The vegetation cleared for stormwater infrastructure would be significant hard beech forest, while that cleared for sewer infrastructure would generally be insignificant except for small sections located in the major gullies and a section passing through podocarp forest near Eastern Hutt Road.

Several other potential adverse ecological effects are identified in the report. There would probably be some loss of forest and aquatic habitat due to vegetation clearance and provision of infrastructure. Also there is the potential for further weed and pest infestation, and loss of bird life. The report concludes that these ecological effects would be insignificant.

The report recognises that the loss of vegetation and habitat would have an adverse effect on the ecological connectivity between various Significant Natural Resources in the area and on the linkages between the Hutt Valley Hills. The report notes however, that the vegetation and habitat losses involved with potential residential development of the Site *“would be cumulative to earlier intrusions into the Stokes Valley SNR in the 1970’s when the Holborn suburb was developed.”*

The report states that the adverse ecological effects of the proposed plan change could be avoided, remedied or mitigated by undertaking the following measures:

- The sewer and stormwater infrastructure for any future development could be redesigned to reduce the amount of vegetation clearance.
- The sewer and stormwater infrastructure could be located as far up the slope as possible and avoid pockets of significant vegetation such as podocarp forest and vegetation in the gullies.
- Where possible, infrastructure should be co-located within new allotments. Pumping of sewage should also be considered.
- Building sites should be located on the upper portions of the lots.

Any future development of the Site would require resource consent. Within the report, it is identified that the measures described above can be provided for by the existing policies, rules and assessment criteria of Chapters 11, 14E and 14I of the District Plan and could be implemented at time of subdivision. On this basis, the ecological report considers that the proposed General Residential Activity Area boundaries, based on the indicative development shown in Appendix 3, are appropriate for the subject site and any potential ecological effects can be avoided or mitigated when the Site is developed.

## **5.4 Infrastructure Effects**

The proposed General Residential Activity Area would allow for residential development to be undertaken on the site subject to the proposed plan change. A review of the capacity of the services within the local area has been undertaken by Cuttriss Consultants Limited, with findings detailed in the report attached in Appendix 8. This report investigates wastewater, stormwater, water, power and telecommunication services within the area surrounding the Site and the capacity of these services to support the development enabled by the proposed plan change.

It is noted the report identifies two options for the provision of wastewater services to the Site. Option A is by gravity connection to an existing sewer main in Eastern Hutt Road. Option B is to construct a pumping station within the Site and pump wastewater back up to the existing public gravity sewer main in Shaftesbury Grove. While the final option for addressing the disposal of wastewater will not be known until the detailed design stage has been completed, Council has confirmed that either option could be implemented.

The report identifies that the Site is situated in the upper regions of the Holborn Water Zone and water supply for any future development enabled by the plan change would be via gravity connection from the Kingsley Reservoir. The report recognises that the current water supply for the upper levels of this zone do not meet Hutt City Council standards during peak summer demand. Any further demand placed on the existing supply will worsen this issue.

To overcome this issue, the report states that a booster pump station must be installed thereby providing water supply to Council standards for surrounding properties. Residential development could not be facilitated on the Site without this pump. This issue would be addressed by the resource consent process and subsequent engineering design approval of any potential development of the Site. In this respect the proposed plan change would have a positive effect on the quality of living throughout Holborn.

Overall, provided a booster pump station is installed for water supply, no issues were identified with the capacity of existing services in the area and the availability of services to the Site. Accordingly, General Residential Activity Area is considered to be an appropriate zoning for the Site.

## **5.5 Site Stability and Earthworks Effects**

Site stability issues have been considered in order to determine if the Site is suitable for residential use. A preliminary geotechnical assessment has been undertaken by Tonkin & Taylor Limited to determine the geotechnical constraints to residential development (Appendix 9).

This geotechnical assessment explains geology and soil profile of the parcel. The report explains that the top and edges of the spurs are comprised of a layer of thin topsoil and colluvium layers (up to 0.5 metres deep) overlying a weathering profile of residual soil and completely weathered to highly weathered rock (1 to 1.5 metres deep). The report also states that the gullies are likely to have a similar geology and soil profile, with a thicker layer (approximately 1m) of topsoil and colluvium. A small area of localised fill was found at the head of the southern gully.

The report identifies four geotechnical areas labelled A, A/B, B/C and C. In terms of topography and subsoil conditions, areas A and A/B are identified as suitable for development, subject to appropriate remedial measures. These areas are comprised of the

tops of the spurs and a portion of the steep hillsides alongside the spurs. The report recommends that standard building foundations are used on the tops of the spurs, while excavation and retaining or suitable batter slopes are recommended for building platforms situated on the steeper edges of the spurs.

Area B/C, which encompasses the head of the major gully between two of the spurs, is identified within the report as potentially suitable for development provided engineered fill is placed in this region. The report considers area C a no build zone due to steep topography.

The indicative development of the Site reflects these recommendations, with the portion of the parcel proposed to be rezoned comprising of areas A and A/B. As previously stated, area B/C has been excluded from the proposed plan change as development in this region is considered inappropriate.

If the proposed plan change becomes operative and the Site is rezoned to General Residential Activity Area, it is likely earthworks will be required to facilitate residential development. Earthworks would be required to create building platforms and foundations as well as roads and access ways. Earthworks can have a number of adverse effects on the environment such as worsening hazard potential, land instability and effects on landscape and amenity values.

The District Plan contains rules controlling earthworks which apply to all activity areas, including the General Residential Activity Area. These rules help to manage the adverse effects of earthworks on the environment. The District Plan allows a maximum volume of earthworks of 50m<sup>3</sup> and a maximum cut/fill height of 1.2m (Rule 14I 2.1.1). Future development of the proposed plan change site would almost certainly not comply with the earthworks rules and therefore require resource consent.

It is likely that earthworks for any potential development of the Site would form part of a resource consent application to subdivide the Site. Under the District Plan this type of development would likely be assessed as a Restricted Discretionary Activity, which includes an assessment of the effects of earthworks. The evaluation of an application to subdivide the Site would also involve assessing effects relating to natural hazards, such as erosion, land stability and sediment management.

Overall, the soil conditions and topography of the area subject to the proposed plan change are appropriate for residential development and any adverse effects of proposed earthworks can be appropriately addressed by the existing rules of the District Plan. As such, General Residential Activity Area is considered to be an appropriate zoning for the Site.

## **5.6 Recreational Effects**

The plan change site has little recreational value and the proposed plan change will have minimal impact upon the recreational use of the area. The property is for the most part inaccessible and covered by dense scrub and gorse. These characteristics mean it is not used for any formal recreation activities, and provides very limited opportunities for informal recreation activities.

The area of the site subject to the proposed plan change is relatively limited and the balance of the property, which is proposed to retain its current zoning, is of sufficient size to continue to provide for any recreational activities currently undertaken. It is noted that the majority of the flat portions of the property are encompassed within area to be rezoned but,

notwithstanding topography, these areas are also covered in bush and generally inaccessible and therefore offer limited opportunities for recreation activities.

A small portion of land to the north of the Site is maintained as an extended grass berm alongside Shaftesbury Grove. The small size and undulating topography of this area means that it has little recreational value.

Within the local environment, many other recreational facilities are available. In close proximity to the Site, Hutt City Council owns and manages a large, flat, open grassed area for recreational purposes at 158 Holborn Drive. Furthermore, there are multiple recreational areas in Stokes Valley that provide for a range of formal and informal recreation activities. The hills around Stokes Valley offer similar recreation opportunities as the Site, so the rezoning of a small portion of such terrain will have minimal impact on any recreation activities undertaken on the Site.

On the whole, the rezoning of the Site does not reduce the opportunities for recreation within the local environment.

## **5.7 Conclusion**

Overall, it is considered that the adverse effects of the proposed plan change can be adequately controlled by the existing rules, objectives and policies in Chapters 4A, 11, 14E and 14I of the District Plan. As such, any effects associated with the potential residential development of the Site can be appropriately avoided, remedied or mitigated at the time of subdivision.

## **6. POLICY ANALYSIS**

### **6.1 Resource Management Act 1991**

The purpose and principles of the Resource Management Act 1991 are detailed in sections 5 – 8 of Part 2 of the Act. An assessment of the proposed plan change against Part 2 is provided below.

#### ***Section 5 - Purpose***

Section 5 promotes the sustainable management of natural and physical resources. Section 5 states:

*“Sustainable Management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while*

- (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposed plan change is considered to be consistent with Section 5 of the Resource Management Act 1991. The Site has limited recreational value and the proposed plan change does not affect the recreational opportunities available to the community. While the proposed plan change would reduce the amount of recreational land available, only a small portion of the overall parcel would be rezoned and the balance of the property would remain

zoned General Recreation Activity Area. The potential development enabled by the proposed plan change would support the growth of the local community, through additional residents and dwellings. This potential development would also require an upgrade to the existing water supply in the Holborn area. This upgrade would improve the water supply for the surrounding residential properties, thereby enabling the better provision for the social requirements of residents in the area. On this basis, it is considered that the proposed plan change will enable the community to provide for their social, economic and cultural wellbeing and for their health and safety.

It is considered that rezoning the Site to General Residential Activity Area will result in a development form and a density of housing which is consistent with the local environment. It is considered that the proposed General Residential zone will maintain the amenity values, landscape values and character of the local environment. The proposed rezoning of the Site is considered an efficient use of existing utilities and roading infrastructure. Potential adverse effects from earthworks, the removal of vegetation and residential development can be mitigated through a combination of an appropriately designed development for the Site, the resource consent process and the existing District Plan rules pertaining to the General Residential Activity Area.

### ***Section 6 – Matters of National Importance***

Section 6 of the Act sets out the matters of national importance which are required to be recognized and provided for when managing the use, development and protection of natural and physical resources. The proposed plan change is considered to be consistent with Section 6 of the Resource Management Act 1991 for the following reasons:

- The Site is not located within a Significant Cultural Resource as identified within the City of Lower Hutt District Plan.
- The Site does not contain a wetland, lake or river, and it is not on the margin of any of these.
- The Site is not situated within the coastal environment.
- While a small portion of the area subject to this proposed plan change is within the Eastern Hills Significant Natural Resource, the location and form of development arising from this proposed plan change would be consistent with the existing development pattern of the area and would maintain the extensive band of vegetation along the hillside that separates the ridgeline from the valley floor and provides the backdrop to the city.
- The majority of the area of the Site proposed to be rezoned is not situated within the identified Significant Natural Resource.
- The majority of area proposed to be rezoned contains young, regenerating vegetation which has little ecological value.
- Any potential ecological effects arising from the proposed plan change can be avoided or mitigated by the existing rules of the District Plan, when the Site is developed.

### ***Section 7 – Other Matters***

Section 7 of the Act details the other matters which are required to be given particular regard to when managing the use, development and protection of natural and physical resources. The proposed plan change is considered to be consistent with Section 7 of the Act for the following reasons:

- While the area of land subject to the proposed plan change is visible from the immediate and wider environments, the density and form of development which could result from



the proposed zone change would be consistent with the character and visual amenity values of the surrounding area.

- The Site has limited recreational value and the proposed plan change does not significantly affect the recreational opportunities available to the community. While the proposed plan change would reduce the amount of recreational land available, only a small portion of the overall property would be rezoned with the balance of the property remaining zoned General Recreation Activity Area and available for recreational use.
- The vast majority of the vegetation on the site subject to the proposed plan change is not considered to be significant as it is comprised mostly of low gorse, scrub and manuka. It is recognised however, that there are pockets of significant vegetation within parcel, but given the relatively small area of this vegetation affected by this proposal, any ecological effects which will potentially arise can be avoided or mitigated during the resource consent process for a future subdivision of the Site.
- The majority of the significant vegetation which is located on the parcel, is situated on the portion of the property not subject to the proposed plan change and as such would be unaffected by any future subdivision undertaken on the Site. As such, the proposed plan change will maintain the natural character of the local environment.
- Any likely adverse effects resulting from potential residential development of the Site can be mitigated through a combination of an appropriately designed development for the Site, the resource consent process and the existing District Plan rules pertaining to the General Residential Activity Area.
- The potential traffic generated from the development enabled by the proposed plan change would be able to be accommodated on the local roading network without compromising its efficiency or safety.
- The existing services within the local environment, with the exception of water supply, have sufficient capacity to service future residential development on the Site. Any development undertaken on the Site would require the water supply to be upgraded, which would also improve the amenity values of the surrounding residential properties.

### ***Section 8 - Treaty of Waitangi***

Section 8 of the Resource Management Act requires that the principles of the Treaty of Waitangi are taken into account.

The principles of the Treaty of Waitangi have been taken into account in the analysis of this proposed plan change. The Site does not contain any significant Cultural Resources which are identified in the District Plan. Consultation has been carried out with the local Iwi authorities as part of the statutory consultation during the formation of this proposed plan change and these parties have not raised any concerns regarding the proposal. It is therefore considered that the principles have been addressed by this proposed plan change.

## **6.2 Regional Policy Statement**

The Regional Policy Statement for the Wellington Region 1995 (RPS) sets out the regional direction for resource management. The Act requires that territorial authorities, in their district plans, are not inconsistent with the objectives and policies contained in a Regional Policy Statement.

The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region's natural and physical resources.

The most relevant objectives and policies to the proposed plan change are considered to be within the ecosystems, landscape and heritage and built environment and transportation chapters of the RPS as follows:

### **Chapter 9 Ecosystems**

#### Objective 1

*The overall quality of ecosystems in the Region is increased.*

#### Objective 2

*Healthy, functioning ecosystems are distributed throughout the Region, including the rural and urban environments.*

#### Objective 4

*The Region has a diversity of healthy ecosystems which represent the full range of regional flora, fauna and habitats.*

#### Policy 4

*To avoid, remedy or mitigate the adverse effects of activities on ecosystems, and in particular, to avoid, remedy or mitigate any of the following effects:*

- (1) Reduction in the indigenous biodiversity of an ecosystem;*
- (2) Prevention of the natural processes of an ecosystem, including nutrient cycles and energy flows, from operating effectively;*
- (3) Simplification of the structure of indigenous ecosystems; and*
- (4) Reduction in the quality or quantity of the non-living parts of an ecosystem (e.g. decaying plant and animal remains, water, air, soil) to a level which adversely affects the life supporting capacity of the ecosystem.*

### **Chapter 10 Landscape and Heritage**

#### Objective 4

*The attributes of natural and physical resources which provide for regional recreational opportunity, and for the appreciation and enjoyment of those resources by the regional community, are maintained or enhanced.*

#### Policy 2

*To avoid, remedy, or mitigate the adverse effects of subdivision, use, and development on regionally outstanding landscapes, and nationally and regionally outstanding landforms, geological features, soil sites, and other natural features.*

#### Policy 7

*To manage and protect existing recreational opportunities of regional significance.*

#### Policy 8

*To promote, on behalf of future generations, the protection of the potential for recreation of open space, indigenous and exotic vegetation, water bodies, the coast, and regionally outstanding landscapes, and any other regionally or nationally outstanding natural features.*

### **Chapter 14 Built Environment and Transportation**

#### Objective 1

*Urban areas, the built environment and transportation systems are developed so that they, and their associated activities, use resources efficiently and demand for the use of finite resources is moderated.*

#### Objective 2

*The adverse environmental effects that result from the use of urban areas, transportation systems and infrastructure are avoided, remedied or mitigated and, in particular, any effects that*

*result from the concentration and scale of activities in urban areas are recognised and provided for.*

Objective 3

*The environmental quality of urban areas is maintained and enhanced.*

Policy 2

*To use natural and physical resources efficiently in the development of urban areas and in use of the built environment by:*

- (1) Encouraging forms of urban development that reflect efficient use of resources; and*
- (2) Avoiding, where practicable, the use of new resources, particularly non-renewable resources.*

Policy 6

*To promote the provision and efficient use of infrastructure in the Region, and the reduction of adverse environmental effects from its use.*

Policy 8

*To promote a high level of environmental quality in urban areas by:*

- (1) Encouraging good urban design;*
- (2) Enhancing and protecting amenity values; and*
- (3) Maintaining and enhancing natural areas and protecting those places, features or buildings with significant heritage, ecological, cultural or landscape values.*

It is considered that the proposed plan change is consistent with the objectives and policies of the Regional Policy Statement (RPS).

The RPS seeks that activities avoid, remedy or mitigate adverse effects on ecosystems. The proposed plan change will enable residential development that will involve the clearance of vegetation from some of the Site. It is considered that the potential ecological effects associated with the proposed plan change can be adequately addressed either at the time of subdivision or can be addressed by the existing rules of the General Residential Activity Area (which limits the areas of vegetation clearance and impervious surface cover on a site and requires resource consent for earthworks over a certain level). Furthermore, as previously discussed the majority of vegetation that would be cleared consists of low gorse, scrub and manuka, which has limited ecological value.

The RPS seeks that regional recreational amenity values are maintained and enhanced. The Site has limited recreational value and does not provide regionally significant recreational opportunities. The majority of the plan change site is not readily accessible to local residents due to dense vegetation cover, therefore any loss in recreation value arising from the proposal is considered to be limited. It is noted that only a small portion of the overall parcel would be subject to the proposed plan change. The balance of the property would remain zoned General Recreational Activity Area and could still provide for any recreation activities previously undertaken on the property.

The portion of the parcel subject to the proposed plan change is part of the backdrop to the Hutt Valley. However, the location and form of development enabled by this proposed plan change would be consistent with the existing development pattern of the area and would maintain the extensive band of vegetation along the hillside that separates the ridgeline from the valley floor. On this basis the proposed plan change is considered to be consistent with the objectives and policies of the RPS relating to landscape and heritage.

In relation to the built environment and transportation, the RPS promotes development which uses resources efficiently, maintains and enhances urban areas and avoids, remedies or

mitigates adverse environmental effects. The portion of the parcel which is subject to this proposed plan change is situated within a largely residential area and can be serviced, with the exception of water supply, using existing infrastructure. Any future residential development would require a water supply upgrade, resulting in the water supply significantly improving for the surrounding residential properties.

It is considered that the provisions of the District Plan will ensure that the type of development enabled by the proposed plan change would reflect the principles of good urban design practice, and that any adverse effects on infrastructure are avoided, remedied or mitigated. The Site has good connectivity to main transport links and the local roading network is able to accommodate the additional traffic generated by residential development of the Site without affecting traffic safety and efficiency. Given these factors, it is considered that the proposed plan change is consistent with the objectives and policies of the RPS relating to the built environment and transportation.

Overall, it is considered that the proposed plan change is consistent with the objectives and policies of the RPS.

### **6.3 Proposed Wellington Regional Policy Statement**

The Proposed Regional Policy Statement (Proposed RPS) was notified in early 2009 with a decision on submissions being made in May 2010. The Proposed RPS is currently subject to several appeals within the Environment Court.

The objectives and policies of the Proposed RPS most relevant to the proposed plan change are considered to be the following:

#### **3.6 Indigenous Ecosystems**

##### Objective 16

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

##### Policy 22

*Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans.*

##### Policy 23

*Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans.*

##### Policy 46

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

#### **3.7 Landscape**

##### Objective 17

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

##### Policy 25

*Protecting outstanding natural features and landscape values – district and regional plans.*

##### Objective 17A

*The region's significant amenity landscapes are identified and their values are maintained and*

enhanced.

Policy 27

*Managing significant amenity landscapes values – district and regional plans.*

**3.9 Regional Form, Design and Function**

Objective 21

*A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:*

- (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;*
- (h) integrated public open spaces;*
- (k) efficiently use existing infrastructure (including transport network infrastructure); and etc*

Policy 32

*Supporting a compact, well designed and sustainable regional form.*

It is considered that the proposed plan change is consistent with the objectives and policies of the Proposed RPS. The reasons for this are similar to those discussed above in relation to the Operative Regional Policy Statement.

A small portion of the vegetation within the area subject to the proposed plan change is within the Significant Natural Resource, identified as Stokes Valley Bush. The ecological assessment carried out for the proposed plan change has identified that the majority of the vegetation within the portion of the site proposed to be rezoned is of low ecological significance. While small sections of the area subject to the proposed plan change contain, or are located in close proximity to vegetation which is considered to be of high ecological significance, the ecological report considers that the existing rules of the District Plan would assist with the protection of these areas, at the time of development. Furthermore, the proposed plan change affects only a small portion of the site, the remainder of which would be preserved in its current state thereby maintaining the habitats and ecosystems within the area.

The site subject to the proposed plan change is part of the backdrop to the Hutt Valley. However, the location and form of development enabled by this proposed plan change would be consistent with the existing development pattern within the local environment and would maintain the extensive band of vegetation along the hillside that separates the ridgeline from the valley floor. On this basis the proposed plan change is considered to be consistent with the objectives and policies of the Proposed RPS relating to landscapes.

With regards to objectives and policies relating to regional form, the site subject to this proposed plan change is situated within an urban environment and can be serviced using existing infrastructure, with the exception of water supply. The existing water supply would be upgraded as part of any future development on the Site, thereby improving the water supply for the surrounding residential properties. The proposed plan change is considered to be consistent with objective 21, which encourages a compact urban form, as the development of the Site for residential purposes would be an efficient use of the land resource.

Overall, the proposed plan change is considered to be consistent with the objectives and policies of the Proposed Regional Policy Statement.

## **6.4 The Wellington Regional Strategy**

The Wellington Regional Strategy (WRS) is a sustainable growth strategy that has been developed by the nine local authorities within the Greater Wellington Area, in conjunction with central government, and the region's business, education, research and voluntary sector interests. The community outcomes of the WRS relevant to the proposed plan change are healthy environment, quality lifestyle and sense of place.

It is considered that the proposed plan change is consistent with the community outcomes within the WRS.

## **6.5 Consistency with Surrounding District Plans**

Section 74(2) (c) of the Act requires Council to consider the extent to which this proposed plan change needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

The proposed plan change involves a small area of land which is located well within the boundaries of the City of Lower Hutt. It will have no affect on the plans or proposed plans of adjacent territorial authorities and will not be inconsistent with them.

## **6.6 City of Lower Hutt District Plan**

### **6.6.1 Area Wide Objectives of the District Plan**

Chapter 1 of the City of Lower Hutt District Plan identifies the area wide objectives which the District Plan seeks to achieve. The area wide objectives which are considered to be relevant to the proposal are as follows:

#### ***1.10.1 Resource Management and the Tangata Whenua of Lower Hutt***

##### Objective

*To respond to the principles of the Treaty of Waitangi and other matters of significance to the tangata whenua as specified in the Act.*

##### Policies

- (a) To have particular regard to tangata whenua's desire to carry out kaitiakitanga.*
- (b) To protect waahi tapu and sites of cultural or historical significance to tangata whenua from desecration or disturbance.*
- (c) To recognise and protect the tangata whenua desire to maintain and enhance their traditional relationship with the environment.*
- (d) To consult with the tangata whenua when discharging functions and duties under the Act.*

#### ***1.10.2 Amenity Value***

##### Objective

*To identify, maintain and enhance the character and amenity values of the different activity areas.*

##### Policy

*To identify within all activity areas the general character and amenity values of that activity area.*

#### ***1.10.3 Residential Activity***

##### Objective

*To accommodate residential growth and development through consolidation of the existing*

urban area but to allow some peripheral development.

#### Policy

- (a) To provide opportunities for gradual intensification of residential densities by:
- (i) Enabling higher densities along major transport routes and near suburban focal points
  - (ii) Providing for infill development throughout the established residential areas to appropriate minimum standards, and
  - (iii) Managing the rate at which land at the periphery of the urban area is developed for residential purposes.

### **1.10.6 Open Space and Recreation**

#### Objective

To provide and maintain a diverse range of open space and recreation facilities for the enjoyment of residents and visitors which meet the needs of different sectors of the community.

#### Policies

- (a) To ensure the adequate provision of open space for the passive recreational needs of the community.
- (b) To ensure adequate provision of larger open space areas for active and passive recreation.
- (c) To ensure the protection and enhancement of areas of special recreation amenity.
- (d) To ensure the conservation of natural and heritage features and landscapes.

### **1.10.9 Significant Natural Cultural and Archaeological Resources**

#### Objective

To protect significant natural, cultural and archaeological resources from inappropriate subdivision, use and development.

#### Policies

- (a) To identify resources that are considered to be of significance.
- (b) To protect identified areas of significance from inappropriate subdivision, use and development by ensuring activities in these areas are managed.

The proposed plan change is considered to be consistent with the above area wide objectives and policies of the District Plan. These objectives and policies recognise that properties within the General Residential Activity Area are readily able to be developed either as a result of their natural topography, or as a result of bulk earthworks undertaken as part of the subdivision which created those properties. While some of the Site is sloping, there are many examples on the eastern and western hills of properties which have a slope angle which is similar to that of the subject property and are also within the General Residential Activity Area. It is therefore considered that General Residential Activity Area zoning is appropriate for the topography of the plan change site, and it is also consistent with the zoning of other properties within wider Lower Hutt which have similar attributes.

It is also recognised that the Site is located in an established residential area which is serviced by existing infrastructure and social, recreational and cultural facilities (such as the schools, churches and shops situated in central Stokes Valley). The plan change site is located close to main transport links and the local roading network will be able to accommodate the additional traffic flow which could result from a future subdivision of the Site. Given these factors, it is considered appropriate to apply a zoning of General Residential Activity Area to the eastern portion of the parcel to allow for the maximum

development potential of the Site to be realised, while facilitating further consolidation of an established residential area.

It is recognised that the proposed plan change would result in the loss of an area of recreational land from the local environment. The Site has limited recreational value and the proposed plan change does not affect the wider recreational opportunities available to the community. While the proposed plan change would reduce the amount of recreational land available, only a small portion of the overall site would be affected and the balance would remain zoned General Recreation Activity Area. It is also noted that other recreational opportunities are available within the local environment (such as at 158 Holborn Drive) as well as, the numerous hills around Stokes Valley. Given these factors, the proposed plan change is not considered to be detrimental to the provision of open spaces and recreational values within the local environment.

The majority of the area subject to the proposed plan change is not situated within the Significant Natural Resource in the area. The proposed plan change has been assessed by an ecologist who considers that any potential ecological effects associated with the plan change can be mitigated when the detailed design for the subdivision is undertaken. The ecologist considers that the existing assessment criteria and rules of the District Plan are sufficient to ensure that any potential ecological effects resulting from the proposed plan change are appropriately mitigated.

Overall, it is considered that the proposed plan change will contribute to achieving the area wide objectives and policies of the District Plan. It is considered that rezoning the Site to General Residential Activity Area will achieve a balance between maintaining the amenity values and character of the local environment while allowing for the development potential of the Site to be met. It is considered that maintaining the status quo will not be as effective or efficient in achieving these area wide objectives and policies.

## **6.6.2 Specific District Plan Objectives and Policies**

The proposed plan change is considered to be consistent with the relevant objectives and policies pertaining to the General Residential Activity Area, General Recreation Activity Area and the Significant Natural, Cultural and Archaeological Resource Chapter of the City of Lower Hutt District Plan. The objectives and policies of the General Residential Activity Area and the General Recreation Activity Area which are considered to be relevant to this proposal are as follows:

### **General Residential Activity Area**

#### **4A 1.1.1 Residential Character and Amenity Value**

##### Objective

*To maintain and enhance the amenity values and residential character of the General Residential Activity Area of the City.*

##### Policies

- (a) That opportunity be provided for a diversity of residential activities.*
- (c) To ensure residential amenity values are retained, protected and enhanced through the establishment of a net site area per dwelling house.*
- (d) That adverse effects arising from noise, dust, glare, light spill and odour be managed.*
- (e) That vegetation and trees which add to the particular amenity values of the area be retained where practicable.*
- (f) That the clearance of vegetation be managed to avoid, remedy or mitigate any adverse effects on the intrinsic values of ecosystems.*



#### **4A 1.2.1 Building Height, Scale, Intensity and Location**

##### Objective

To avoid, remedy or mitigate adverse effects caused by building height, intensity and location on the amenity values of adjacent residential sites and the residential character of the surrounding residential area.

##### Policies

- (a) To establish a minimum net site area and maximum site coverage requirement to ensure medium density development is achieved.
- (c) To ensure all new development is of a height and scale, which is compatible with surrounding residential development.
- (d) To ensure a progressive reduction in height of buildings the closer they are located to a site boundary, to maintain adequate daylight and sunlight to adjoining properties.
- (e) To manage the siting of all buildings so as to minimise detracting from the character and visual attractiveness of the surrounding residential activity area.
- (f) To manage the siting of all buildings so as to minimise detracting from the amenities of adjoining properties.
- (g) That where practicable, the siting of accessory buildings be managed to maintain safety and visibility during maneuvers.

#### **General Recreation Activity Area**

##### **7A 1.1.1 Adverse Effects of Recreation Activities on Adjoining Residential Activity Area**

##### Objective

To ensure that recreation activities have adverse effects, which are no more than minor on adjoining residential activity areas.

##### Policies

- (a) To ensure that recreation activities are of a scale and character that amenity values of adjoining residential activity areas are not affected adversely.
- (b) To ensure that adverse effects, such as noise, glare, light spill and odour, generated by activities in the General Recreation Activity Area, are managed to ensure that residential amenity values are maintained.

#### **Significant Natural, Cultural and Archaeological Resources**

##### **14E 1.1 Protection of Significant Natural, Cultural and Archaeological Resources**

##### Objective

To identify and protect significant natural, cultural and archaeological resources in the City from inappropriate subdivision, use and development.

##### Policies

- (c) That any activity or site development shall not modify, damage or destroy a significant natural, cultural or archaeological resource.
- (d) That any activity or site development shall not compromise the natural character or visual amenity values of a significant natural, cultural or archaeological resource.
- (e) All buildings, structures and activities shall preserve the natural character, visual amenity values and landscape values of the significant natural, cultural or archaeological resources including the identified coastal environment.
- (f) The scale, height, location and design of all buildings and structures shall protect the amenity values, especially landscape values, of the identified coastal environment.
- (g) That any activity or site development will take into account new findings of significant natural, cultural and archaeological resources.

- (h) *That the cultural significance of these natural resources be recognised and protected.*
- (i) *That any activity or site development shall not modify, damage or destroy the intrinsic values of the ecosystems of a significant natural, cultural or archaeological resource.*

It is considered that the provisions of the General Residential Activity Area are appropriate for the Site in terms of achieving the purpose of the Act, in that the provisions of the General Residential Activity Area will provide for the sustainable management of the natural and physical resources of the Site. It is appropriate that the balance of the overall site remains zoned General Recreation Activity Area.

No changes are proposed to the objectives, policies and rules of the General Residential Activity Area as part of this plan change. With regard to their efficiency and effectiveness, it is considered that the existing policies and rules for the General Residential Activity Area are the most appropriate for achieving the objectives and it is appropriate that they be applied to the Site.

The proposed plan change is considered to maintain the integrity of the Significant Natural Resource. While a small portion of the site to be rezoned is within the Significant Natural Resource, any potential effects on this Significant Natural Resource are able to be avoided or controlled by the existing rules of the District Plan as part of the resource consent process.

It is considered that the existing rules within the General Residential Activity Area, along with the general rules of the District Plan, are sufficient to ensure that the amenity values and character of the Site and the surrounding area are maintained and that any adverse effects on the environment are avoided, remedied or mitigated.

## **6.7 Other Strategies and Plans**

The Hutt City Council has a number of relevant strategies and plans that detail the priorities for the City, namely:

- Economic Development Strategy 2009
- Environmental Sustainability Strategy 2009
- Reserves Policy 2004
- Reserves Key Directions Strategy
- Reserve Land Acquisition and Disposal: Policy and Guidelines
- Long Term Council Community Plan (LTCCP) 2009

The proposed plan change is considered to be consistent with the outcomes sought under the above strategies and plans.

## **6.8 Consultation**

Between March and May 2009, consultation was undertaken with the relevant parties in relation to the disposal of land managed as reserve in accordance with the requirements of the Local Government Act 2002. The actions which were undertaken as part of this process included:

- Formal advertisement in the Hutt News of 24 March 2009 regarding possible disposal of park lands.
- Letter and reports sent to organisations identified as having a possible interest in the proposals.
- Letter sent to adjoining land owners/tenants of land identified for possible disposal.

- Information posted on the Council's website.

A total of 30 submissions were received regarding the disposal of recreational land within the Northern Ward. Of these 30 submissions, 16 specifically related to the disposal of the Shaftesbury Grove site. All 16 of these submissions opposed the disposal of this site for the following reasons:

- Traffic effects
- Ecological effects, including a loss of vegetation and bird life
- The development would reduce their property value
- Increased demand on the water supply
- Site stability concerns
- The local infrastructure cannot cope with any additional demand
- Loss of recreational opportunities.

These concerns were considered by the Strategy and Policy Committee when they met in May 2009, prior to the determination to dispose of the plan change site.

Consultation has also been carried out with the following statutory authorities in accordance with the Schedule 1 of the Resource Management Act, 1991:

- Greater Wellington Regional Council
- Ministry for the Environment
- Upper Hutt City Council
- Porirua City Council
- Wellington City Council
- Tenth's Trust
- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
- The Port Nicholson Block Settlement Trust
- The Palmerston North Maori Reserve Trust

We received feedback from the following parties:

- Greater Wellington Regional Council
- Wellington City Council
- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
- Tenth's Trust
- The Port Nicholson Block Settlement Trust
- The Palmerston North Maori Reserve Trust

None of these parties had any comments or concerns in regards to the proposed plan change. While we did not hear from several parties during the consultation phase of this project, we note that when the proposed plan change is notified these parties will be contacted directly and will have the opportunity to lodge a submission.

## **7. EVALUATION OF OPTIONS**

The proposed plan change is seeking to rezone the eastern portion of the parcel to General Residential Activity Area. The General Residential Activity Area is the most common zone within the Hutt Valley and covers large areas of the valley floor as well as parts of the eastern and western hills. The properties within the General Residential Activity Area contain a wide variety of residential development and include single residential dwellings through to higher

density multi storied residential apartments. While the majority of the properties within the General Residential Activity Area are flat, there are a large number of examples of sites (on both the eastern and western hills) which have a topographic profile which is similar to that of the plan change site.

Four principal options have been explored as part of the preparation of the proposed plan change. These options include:

- Status Quo (do nothing);
- Zone the Site subject to this proposed plan change as General Residential Activity Area;
- Zone the Site subject to this proposed plan change as Hill Residential Activity Area;
- Zone the Site subject to this proposed plan change as General Residential Activity Area - Medium Density.

As noted previously, the Council's decision to sell publicly owned land is not a relevant matter for consideration in terms of the Resource Management Act 1991, or the assessment undertaken in accordance with Section 32 of the Act. Accordingly the zoning options considered below are based on the premise that it is the intention of the Council to declare the land surplus (to be used for residential development) subject to the outcome of this proposed plan change process.

The cost and benefits of these options are discussed below.

OPTION	EVALUATION
<p><b>Option 1:</b> Status Quo</p> <p><u>NOT RECOMMENDED</u></p>	<p><u>Benefits</u></p> <ul style="list-style-type: none"> <li>• Avoids the costs associated with the plan change process</li> <li>• The entire Parcel remains zoned General Recreation Activity Area and therefore the type of activities which can be undertaken on the site are restricted;</li> <li>• The existing character of the subject property is maintained;</li> <li>• The existing low value vegetation on site will develop into significant forest over time.</li> </ul> <p><u>Costs</u></p> <ul style="list-style-type: none"> <li>• The site subject to this proposed plan change is no longer required for recreational activities and it will remain under utilised if it is not rezoned;</li> <li>• Any potential future residential development of the Site would be assessed against the provisions of the General Recreation Activity Area and would require resource consent as a Discretionary Activity;</li> <li>• The amenity values of the surrounding residential area would not be improved via a water upgrade.</li> </ul>
<p><b>Option 2:</b> Zone the Site as General Residential Activity Area</p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> <li>• Results in a zoning which is consistent with the character of the existing residential environment;</li> <li>• The zoning allows for a level of residential development which</li> </ul>

<p><b><u>RECOMMENDED</u></b></p>	<p>would result in an efficient and effective utilisation of the resource;</p> <ul style="list-style-type: none"> <li>• Allows for residential growth within an existing urban area, thereby containing urban development;</li> <li>• Increased revenue from an increase in the number of properties paying rates;</li> <li>• The water supply to the existing residential properties would improve as a result of the booster pump which would be required to be installed if the Site was developed.</li> </ul> <p><u>Costs</u></p> <ul style="list-style-type: none"> <li>• The costs associated with the plan change process;</li> <li>• Loss of an area of recreational land from the Holborn community;</li> <li>• A reduction in visual amenity values as the Site is developed;</li> <li>• Ecological effects as a result of future vegetation clearance.</li> </ul>
<p><b>Option 3:</b> Zone the Site as Hill Residential Activity Area</p> <p><b><u>NOT RECOMMENDED</u></b></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> <li>• Results in a low density development which would place less pressure on the local infrastructure and roading network;</li> <li>• A larger proportion of the site would likely remain vegetated as there would be fewer allotments;</li> <li>• Allows for residential growth within an existing urban area, thereby containing urban development;</li> <li>• Increased revenue from an increase in the number of properties paying rates;</li> <li>• The water supply to the existing residential properties would improve as a result of the booster pump which would be required to be installed if the site was developed.</li> </ul> <p><u>Costs:</u></p> <ul style="list-style-type: none"> <li>• The costs associated with the plan change process;</li> <li>• Low density development is a less efficient use of the property as it reduces the number of potential allotments;</li> <li>• Loss of an area of recreational land from the Holborn community;</li> <li>• Development on site would not match the character of residential development in the area;</li> <li>• A reduction in visual amenity values as the Site is developed;</li> <li>• Ecological effects as a result of future vegetation clearance.</li> </ul>
<p><b>Option 4:</b> Zone the Site as General Residential Activity Area - Medium Density</p>	<p><u>Benefits</u></p> <ul style="list-style-type: none"> <li>• Potential for a larger number of lots to be developed;</li> <li>• Allows for residential growth within an existing urban area, thereby containing urban development;</li> <li>• Increased revenue from an increase in the number of properties paying rates;</li> </ul>

<p><b><u>NOT RECOMMENDED</u></b></p>	<ul style="list-style-type: none"> <li>• The water supply to the existing residential properties would improve as a result of the booster pump which would be required to be installed if this Site was developed.</li> </ul> <p><u>Costs</u></p> <ul style="list-style-type: none"> <li>• The costs associated with the plan change process;</li> <li>• Loss of an area of recreational land from the Holborn community;</li> <li>• The resulting density of development would not be consistent with the character of the wider environment, which is zoned General Residential activity Area;</li> <li>• There may not be sufficient services and facilities within the local environment to support medium density development;</li> <li>• The topography of the Site is not conducive to a higher density of development;</li> <li>• The effects on the environment, such as visual and ecological effects, of a higher density of residential development would be greater than development enabled by a General residential Activity Area zoning.</li> <li>• The Site does not fulfil the criteria applied for the identification and classification of medium density areas.</li> </ul>
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### **7.1 The Risk of Acting or Not Acting**

Section 32 (4) (b) of the Resource Management Act 1991 states:

*(4) For the purposes of [[the examinations referred to in subsections (3) and (3A)]], an evaluation must take into account—*

*(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

In considering the proposal against Section 32 (4) of the Resource Management Act 1991, it is considered that Council has sufficient information to consider this proposed plan change.

## **8. SUMMARY**

The land review undertaken by the Council concluded that a portion of the property at 30 Shaftesbury Grove, currently managed as a recreation reserve, was no longer required for this purpose. This proposed plan change is seeking to rezone the eastern portion of the property from General Recreation Activity Area to General Residential Activity Area.

The evaluation of the plan change has included an assessment of effects on the environment from rezoning the Site to General Residential Activity Area and subsequent residential development. The proposed General Residential Activity Area zoning is considered to be consistent with the character of the existing residential properties in the area and would allow for future development of the Site in a manner which is in keeping with the amenity values of the local environment.

A policy analysis of the relevant national, regional and local policies and plans has been undertaken. Overall, it is considered that the proposed plan change is consistent with the

objectives and policies of the relevant policies and plans. The proposed rezoning of the Site to General Residential Activity Area and the associated rules are considered to enable an appropriate level of future development on the Site while managing the adverse effects on the environment. No changes are proposed to the provisions of the General Residential Activity Area of the District Plan as part of the proposed plan change.

The costs and benefits of the proposed plan change have been assessed against the purpose of the Resource Management Act 1991. The costs and benefits of the options for the Site have been evaluated and the recommended option (Option 2, rezone the Site to General Residential Activity Area) is considered to be the most appropriate in terms of achieving the purpose of the Act. Overall the proposed plan change is considered to be consistent with the purpose and principles of the Act.





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## Appendices

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- Appendix 1:** Plan of the Site, illustrating the area proposed to be zoned General Residential Activity Area
- Appendix 2:** Operative District Plan Map G2
- Appendix 3:** Indicative Development Plan – Option 1 (26 lot subdivision)
- Appendix 4:** Indicative Development Plan – Option 2 (41 lot subdivision) – not proceeding
- Appendix 5:** Assessment of Landscape and Visual Effects by Drakeford Williams, Landscape Architects
- Appendix 6:** Transportation Assessment by Traffic Design Group
- Appendix 7:** Ecological Assessment by Dr Paul Blaschke
- Appendix 8:** Analysis of Services by Cuttriss Consultants
- Appendix 9:** Preliminary Geotechnical Suitability Assessment by Tonkin & Taylor Ltd



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**Appendix 1: Plan of the Site, illustrating the area proposed to be zoned  
General Residential Activity Area**

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**Appendix 2: Operative District Plan Map G2**

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**Appendix 3: Indicative Development Plan – Option 1 (26 lot subdivision)**

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**Appendix 4: Indicative Development Plan – Option 2 (41 lot subdivision) – not proceeding**

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**Appendix 5: Assessment of Landscape and Visual Effects by Drakeford  
Williams, Landscape Architects**

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**Appendix 6: Transportation Assessment by Traffic Design Group**

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**Appendix 7: Ecological Assessment by Dr Paul Blaschke**

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**Appendix 8: Analysis of Services by Cuttriss Consultants**

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**Appendix 9: Preliminary Geotechnical Suitability Assessment by Tonkin  
& Taylor Ltd**

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**Part 5: Copy of Submission Form**

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