

Proposed District Plan Change 18

**238 STOKES VALLEY ROAD, STOKES VALLEY –
REZONING AS GENERAL RESIDENTIAL ACTIVITY AREA**

**Publicly Notified:
Submissions Close:**

**12 April 2011
13 May 2011 at 5.00pm**

Part 1: Introduction

1. What is Proposed Plan Changes 18?

The purpose of Proposed Plan Change 18 is to re-zone the Hutt City Council (Council) owned site at 238 Stokes Valley Road from General Recreation Activity Area to General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan).

The site is as follows:

An area of land of approximately 990 m² in size, being part of Part Lot 2 DP 18888, CT WN825/53, 238 Stokes Valley Road. It comprises the former custodian's house and grounds at Delaney Park.

The operative District Plan Map containing this site is attached as Part 4 Appendix 1.

2. Reason for Proposed Plan Changes

Since 2007 Council has been undertaking a review of all the land it holds in fee simple title throughout the City. The objective of the review is to ensure all Council owned land is being used for the most appropriate purpose. The review included an assessment of the contribution made by each of these sites to the City's open space and reserve network.

The site the subject of this Proposed Plan Change was included in the review as it was considered by Council to no longer be required for the recreational purpose for which it was originally acquired. Further assessment by Council of the future potential of this site concluded that its contribution to the local and city-wide open space/recreational network was low. Consequently, Council has resolved to declare the land surplus for recreational and open space purposes subject to the outcome of this proposed plan change to re-zone it residential.

3. Structure of this document

This document contains five parts:

Part 1	is this introduction
Part 2	contains a copy of the public notice for Proposed Plan Changes 18 which was advertised in the Hutt News on 12 April 2011
Part 3	shows the amendments proposed to the District Plan Map G2
Part 4	is a copy of the <i>Section 32 Evaluation</i> prepared for Proposed Plan Change 18, as required by section 74 of the Resource Management Act 1991
Part 5	contains a copy of a 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 for Proposed Plan Change 18

The process to date for preparing Proposed Plan Change 18 can be summarised as follows:

March – September 2009	Consultation with relevant parties (through proceedings under the Reserves Act 1977 and Local Government Act 2002)
21 July 2010	Need for Plan Change identified (resolution of Council) and Council approval to prepare Proposed Plan Change
15 March 2011	Proposed Plan Change adopted by Council for public notification
12 April 2011	Proposed Plan Change notified

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

- After the closing date for submissions, Council must prepare a summary of the decisions requested by submitters and publicly notify its availability;
- There is an opportunity to make a further submission in support of, or in opposition to, submissions already made;
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held;
- Council must make a decision on the proposals (including its reasons for accepting or rejecting submissions); and
- Any person who has made a submission has the right to appeal Council decisions on the proposals to the Environment Court.

PUBLIC NOTICE

Public Notification of Proposed District Plan Change 18 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:

PROPOSED DISTRICT PLAN CHANGE 18 – 38 STOKES VALLEY ROAD, STOKES VALLEY REZONING TO GENERAL RESIDENTIAL ACTIVITY AREA

Proposed Plan Change 18 seeks to rezone the Council owned land at 238 Stokes Valley Road, Stokes Valley (being part of Part Lot 2 DP 18888, CT WN825/53) to General Residential Activity Area. It is currently zoned General Recreation Activity Area and comprises the former custodian's house and grounds at Delaney Park.

The proposed rezoning of the parcel of land to General Residential Activity Area reflects its historic and current usage and will enable its continued use for residential purposes. It will also ensure that any future development that might occur on the site is of a nature and scale that reflects the surrounding residential environment.

Documentation for Proposed Plan Change 18 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

If you have any questions please contact Chloe Smith on phone 04 570 6996 or email: chloe.smith@huttcity.govt.nz

Submissions close on FRIDAY 13 MAY 2011 at 5.00pm

Any person may make a submission on Proposed Plan Changes 17-19. 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

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

12 April 2011

Part 3:

**Proposed Plan Change 18 - 238 Stokes Valley Road, Stokes Valley
Amendment to District Plan Map G2**



Proposed Plan Change 18

Planning Map G2 : Amend by rezoning the identified hatched area from General Recreation Activity Area to General Residential Activity Area.
 238 Stokes Valley Road, Stokes Valley



Scale 1:2,500

1. INTRODUCTION

Before a Proposed District Plan change is publicly notified the Council is required under section 32 of the Resource Management Act 1991 (the RMA) to carry out an evaluation of the proposed change and prepare a report. As prescribed in section 32 of the Act:

An evaluation must examine:

- a) the extent to which each objective is the most appropriate way to achieve the purpose of the 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.*

An evaluation must also take into account:

- a) the benefits and costs of policies, rules, or other methods; and*
- c) 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.*

Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.

A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed plan change is publicly notified.

At the current time Council is considering the release of a number of properties for sale which are adjacent to city parks. Each of these properties, including the one which is subject to this Section 32 report, includes a house which has in the past been used by the custodian of the adjacent park or by Council staff. The Section 32 report focuses on the appropriateness of the proposal to rezone the property (238 Stokes Valley Road) in the City of Lower Hutt District Plan. It does not address the subsequent issue concerning the sale of publicly owned land as this is not a relevant matter for consideration under the RMA.

2. BACKGROUND TO THE PROPOSED PLAN CHANGE

Since 2007 the Council has been undertaking a review of the land it holds in fee simple title throughout the city. The objective of the review is to ensure all Council owned land is being used for the most appropriate purpose, based on an assessment of the local and city-wide open space contribution that each site makes.

A Council sub-committee subsequently considers the assessment undertaken and makes a recommendation on the future of each site – to either retain the land under the Reserves Act or consider releasing it for sale. This recommendation is then publicly notified, as required under the Local Government Act, and public submissions called for. After considering the submissions received the Council makes a decision on the future of the site.

In terms of the future of the site at 238 Stokes Valley Road, Stokes Valley, this matter was considered by Council on 21 July 2009 and the following resolution was passed:

RESOLVED: Minute No. C 090316(2)

"That Council:

- i. in respect of the part of the property at 238 Stokes Valley Road (Lot 2 DP 18888), comprising the former custodian's house and grounds, as identified in the revocation proposal, in terms of s24 of the Reserves Act 1977, rejects the objection by Grant Roberts and recommends to the Minister of Conservation that the reserve status be revoked to enable this part of the property to be declared surplus and sold and the proceeds used for the improvement, development or purchase of other reserves in accordance with Council's Reserves Strategy".*

Following the adoption of these resolutions Council sought the consent of the Minister of Conservation, under s24 of the Reserves Act, to revoke the recreation reserve status 238 Stokes Valley Road. Ministerial consent was confirmed for the Stokes Valley Road site by the Department of Conservation on 3 December 2009.

3. DESCRIPTION OF THE LAND

Historic context:

The site was originally part of a larger land holding owned by the estate of Thomas Delaney (Part 69, Certificate of Title WN348/177). In 1956 the estate subdivided a portion of this area, with the subject site identified on Deposited Plan 18888 as public reserve. The reserve was vested in the Crown under s13 of the Land Subdivision in Counties Act 1953, but was subsequently vested to the Council in freehold under the Municipal Corporations Act 1954.

The present title for the site (WN825/53) was issued at a later stage in the name of the Lower Hutt City Council. It is currently held in freehold by Council as a recreation reserve subject to the Reserves and Domain Act 1953.

Site description:

The site is zoned General Recreation Activity Area and is situated on the western side of Stokes Valley Road, immediately adjoining the southern boundary of Speldhurst Park. It comprises an unsurveyed area of land of approximately 990 m² within Lot 2 DP 18888, Certificate of Title WN825/53. The subject area is not managed as a reserve or included in any Reserve Management Plan.

Although the total area of the legal parcel is 2217 m², it is only the area currently fenced and/or developed for residential purposes that is proposed to be re-zoned. The balance area will retain its current General Recreation Activity Area zoning. This includes the portion of the site at the western end that physically forms part of Delaney Park, the sealed walkway and bridge (over the storm water channel that currently bisects the subject site) along the southern boundary that connects Stokes Valley Road and Delaney Park and the gravel path along the western boundary that runs from Speldhurst Park to Delaney Park.

The subject site is a flat, grassed area that contains a dwelling and two small ancillary buildings. A driveway runs centrally from the road to the rear of the site. Established specimen trees are planted along the southern boundary adjacent to the sealed walkway to Delaney Park, and there is a hedge of established trees in Speldhurst Park along the northern boundary.



Figure 1: 238 Stokes Valley Road

The buildings and their associated grounds are physically separated from Delaney Park by fencing along the proposed southern and western boundaries of the site. The boundary with Speldhurst Park to the north is also fenced. The dwelling was originally constructed for the purpose of housing an on-site custodian. With the advent of changes in work practices and parks maintenance operations the dwelling is no longer required for this purpose and has been privately tenanted for some years.

The adjacent areas to the north and west of the site are within the General Recreation Activity Area and consist of sports grounds and facilities associated with Speldhurst and Delaney Parks respectively. The surrounding properties to the south and east are within the General Residential Activity Area and are predominantly used for residential purposes. The Stokes Valley Shopping Centre is also located in the vicinity of the site, to the immediate north of Speldhurst Park, and is within the Suburban Commercial Activity Area.

The current District Plan Map (G2) is attached at Appendix 1.

4. ENVIRONMENTAL EFFECTS

The subject site is located within an existing, predominantly General Residential Activity Area neighbourhood, and the associated dwelling has been used for residential purposes since its construction. Consequently, re-zoning this property from General Recreation Activity Area to General Residential Activity Area would reflect its historic usage, align well with the surrounding land use context and continue to promote the efficient use of existing utilities and roading infrastructure.

Landscape and Visual Amenity:

Effects on landscape and visual amenity values associated with the site would not occur as a consequence of their proposed re-zoning. The site is already developed for residential purposes and no vegetation clearance is proposed. The Proposed Plan Change is seeking to alter the current zoning of the site to General Residential Activity Area to fit in with the existing and long standing use of the site.

Residential Amenity:

The properties in the vicinity of the site are predominantly residential in nature and are within the General Residential Activity Area. Given that the historic use and development associated with the subject site is residential in character, the inclusion of this site in the General Residential Activity Area would act to maintain and enhance the residential amenity of the area in which it is located.

By being included within the General Residential Activity Area any proposed future development of the site would be subject to the same District Plan requirements applicable to the surrounding residential properties. This would include, in the event that any future subdivision of the site were proposed, demonstration that the minimum lot size requirements of 300 m² per site, can be met (refer Chapter 11 (Subdivision) of the District Plan). Any such proposal would require a resource consent to be obtained, and would be subject to the relevant conditions and standards set out in the District Plan.

Recreation and Open Space:

Although the site is included within an existing recreation reserve it has historically been used for custodial and/or staff housing purposes. Consequently, public access to this site has been on a restricted basis, with the result being that it has been divorced from the range of recreation and open space opportunities and facilities generally available to users of Delaney Park.

In addition, reserve management practices have evolved to the point where maintenance operations that had formerly been carried out by on-site custodians employed by the Council are now either delivered by in-house operational teams or contracted out. Such changes in practice have meant the need for on-site provision of custodial housing is no longer required, as evidenced by the fact that the existing dwellings on the subject site has been rented out to private tenants for some time.

Consequently, it is considered that re-zoning this site for residential purposes will not affect the ongoing care of Delaney Park, nor will it affect the public use and enjoyment of the area.

Ecology:

The re-zoning of the site will not have an effect on the ecology of the area within which it is located as it is highly modified and no ecological attributes specific to the site have been identified in the District Plan.

Infrastructure:

This site is serviced with existing connections to power, phone, stormwater, wastewater, water supply and the local roading network. Consequently, the re-zoning of the site would not, in itself, result in additional demand being exerted on existing infrastructure capacity. This would, however, need to be further considered in the event that more intensive redevelopment of the sites was proposed.

Council engaged Capacity Limited to outline any impact the proposed re-zoning may have on the existing water supply, wastewater and stormwater infrastructure. The report indicates that there is existing water supply, wastewater and stormwater infrastructure located within the site at 238 Stokes Valley Road. The maintenance of these assets should be considered if the site is sold and consideration should be given to the creation of easements to allow for future maintenance. Any future development on the site should take into consideration the location of the infrastructure assets.

Appendix 2 contains the full report and a map of the existing infrastructure.

5. POLICY ANALYSIS

5.1 Resource Management Act 1991

Proposed Plan Change 18 is considered to be in keeping with the purpose of the RMA, in that it promotes the sustainable management of natural and physical resources. There are no identifiable matters of national importance (section 6) applicable to the proposed change. Four of the *Other matters* that section 7 directs Council to have particular regard to in achieving the purpose of the Act, are considered to be of particular relevance. These are:

7(b) The efficient use and development of natural and physical resources

7(c) The maintenance and enhancement of amenity values

7(f) Maintenance and enhancement of the quality of the environment

7(g) Any finite characteristics of natural and physical resources

The proposed change is considered to be an efficient use of the City's land resource as the sites are no longer required for recreational purposes. The application of the General Residential Activity Area provisions to the land will maintain the amenity values of the surrounding properties and the quality of the residential environment in which the sites are located.

With respect to section 8, the principles of the Treaty of Waitangi have been taken into account. Local iwi were consulted on this proposal as part of the Council's land review process and have been included in the initial pre-consultation phase of this plan change as outlined further in section 6.1 of this report. A preliminary response from the Port Nicholson Block Settlement Trust (PNBST) indicated support for this plan change.

5.2 Regional Policy Statement for the Wellington Region (Operative)

The Regional Policy Statement for the Wellington Region (RPS) provides the regional policy framework for managing the environment and providing for growth and its effects.

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

The Built Environment and Transportation chapter of the RPS is considered to be most relevant to the Proposed Plan Change, with the objectives and policies of particular relevance being:

- 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.*

The proposed change is considered to give effect to the RPS, particularly the provisions referred to above. The site is proposed to be re-zoned General Residential Activity Area within the existing urban boundaries of the City of Lower Hutt and has been used for residential purposes for some time. Therefore its ongoing residential use would be consistent with the efficient use of land and the infrastructure that already services the area in which the site is located.

5.3 Proposed Greater Wellington Regional Policy Statement

Greater Wellington Regional Council has recently undertaken a review of the RPS, resulting in the notification of the Proposed Regional Policy Statement in 2009 (the Proposed RPS).

The Chapter of most relevance to Proposed Plan Change 18 is *Chapter 3.9 Regional form, design and function*. The objective of this chapter (Objective 21) seeks *a compact, well designed and sustainable regional form that has an integrated, safe and responsive transport network and: ... (d) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region’s existing urban form; (e) strategically planned rural development; (f) a range of housing (including affordable housing); (h) integrated land use and transportation ...and (j) efficient use of existing infrastructure (including transport network infrastructure).*

Proposed Plan Change 18 is considered to give effect to the Proposed RPS. In particular it will help to reinforce a compact regional form that integrates with the transport network, and encourage efficient use of existing infrastructure, including existing utilities and roads.

5.4 The Wellington Regional Strategy

The Wellington Regional Strategy (WRS) is a sustainable growth strategy that has been developed by greater Wellington's 9 local authorities, in conjunction with central government and the region's business, education, research and voluntary sector interests. The WRS lists 3 focus areas for sustainable growth, these being; leadership and partnerships, growth of the region's economy and good regional form.

The WRS does not specifically address the type of rezoning that is sought by this Proposed Plan Change, however it is not inconsistent with it.

5.5 Consistency with surrounding District Plans

Section 74(2)(c) of the RMA 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.

Proposed Plan Change 18 covers one small parcel of land well within the jurisdictional boundary of the City of Lower Hutt. Consequently, they will have no affect on the plans or proposed plans of adjacent territorial authorities and will not be inconsistent with them.

5.6 Other Strategies and Plans

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

- Economic Development Strategy 2009
- Environmental Sustainability Strategy 2009
- Reserves Policy 2004
- Reserves Strategic Directions Strategy 2003
- Reserve Land Acquisition and Disposal: Policy and Guidelines
- Long Term Council Community Plan (LTCCP) 2009

This Plan Change has taken these into consideration and is aligned with them.

5.7 Area-Wide Objectives of the District Plan

The Area Wide objectives in Chapter 1.10 of the District Plan that are of particular relevance to Proposed Plan Change 18 are as follows:

*Objective 1.10.2
Amenity Values* *To identify, maintain and enhance the character and amenity values of the different activity areas.*

*Objective 1.10.3
Residential Activity* *To accommodate residential growth and development through consolidation of the existing urban area but to allow some peripheral development.*

*Objective 1.10.6
Recreation and Open Space* *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.*

In considering these objectives, the proposed re-zoning of this site to General Residential Activity Area is consistent with their intent for the following reasons:

- It will formalise the existing and long established use of the site for residential purposes, while maintaining the character and amenity values of the surrounding General Residential Activity Area. The latter would be achieved through recognition that the current use and development relating to these sites contributes to the character and amenity of the areas in which they are located, and that any future development would need to comply with the relevant residential provisions in the District Plan.
- Although the site is currently included within Naenae Park, it has never been used for recreational or open space purposes. Consequently, its re-zoning will not impede the future use and enjoyment of Naenae Park as the current range of sports grounds and facilities available at the park will continue to be accessible to users.
- The proceeds of any sale of the site will, in accordance with Council's Reserve Strategy, be used for the purposes of improving, developing or purchasing other reserves in the City.

5.8 General Residential Activity Area Objectives

The General Residential Activity Area objectives in Chapter 4A.1 of the District Plan that are of particular relevance to Proposed Plan Change 18 are as follows:

Objective 4A 1.1.1 Residential Character and Amenity Values *To maintain and enhance the amenity values and residential character of the General Residential Activity Area of the City.*

Objective 4A 1.2.1 Building Height, Scale, Intensity and Location *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.*

In considering these objectives, the proposed re-zoning of these sites to General Residential Activity Area is consistent with their intent. In particular it will ensure that any future development that might occur on the site is appropriately addressed, and that the amenity values and residential character associated with the surrounding area will continue to be maintained in line with current District Plan requirements.

6. CONSULTATION

Consultation with local groups and organisations, residents and other parties who may be affected by any decision to re-zone the site identified in Proposed Plan Change 18 has already been undertaken. The consultation was initiated in accordance with Local Government Act requirements relating to the disposal of parks and reserves, and was additional to the statutory processes required under Schedule 1 of the RMA.

The consultation undertaken (as part of a suite of proposals consulted on in the Northern Ward) involved the following:

Formal consultation was carried out over the period 24 March 2009 to 5 May 2009. This included the following actions:

- Formal advertisement in the Hutt News of 24 March 2009 regarding possible disposal of park lands and inviting public submissions.
- Letter and reports sent to a number of organisations (including iwi groups and resident associations) 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.

One written submission was received on the proposal to dispose of this site, with the submitter suggesting that the property be retained for a community facility of some kind.

6.1 Consultation in accordance with the First Schedule of the RMA 1991

In accordance with Clause 1 of Schedule 1 of the Resource Management Act 1991 the following statutory authorities have been consulted prior to notification of the proposed plan change:

- Ministry for the Environment
- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
- Wellington Tenth Trust
- The Palmerston North Maori Reserve Trust
- The Port Nicholson Block Settlement Trust

7. EVALUATION OF OPTIONS

7.1 Introduction

The Proposed Plan Change seeks to amend the District Plan by re-zoning the site located at 238 Stokes Valley Road from General Recreation Activity Area to General Residential Activity Area.

The General Residential Activity Area applies to most of the areas in the City that are predominantly used for residential purposes. It is characterised by low to medium density residential development consisting of single or double storey dwelling houses, open space and an absence of large scale commercial or industrial activities. It is the primary residential zoning across the valley floor and Western Hills.

As noted previously, the Council's decision to sell publicly owned land is not a relevant matter for consideration in terms of the RMA or the assessment undertaken in accordance with section 32 of the Act. Accordingly, the specific 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 purposes) subject to the outcome of the plan change process.

7.2 Alternatives

The range of options that have been considered in preparing Proposed Plan Change 18 are discussed below.

Three options have been identified and considered for this site. They are as follows:

- Status quo – Retain the site as General Recreation Activity Area
- Retain the site as General Recreation Activity Area and convert the dwelling to a community facility
- Re-zone the site General Residential Activity Area

OPTION	EVALUATION
<p>Option 1: Status Quo – Retain site as General Recreation Activity Area</p> <p>NOT RECOMMENDED</p>	<p>Benefits:</p> <ul style="list-style-type: none"> • Avoids the cost associated with a plan change process • Retains the potential for the site to be used for future recreational activities <p>Costs:</p> <ul style="list-style-type: none"> • Fails to recognise the historic and contemporary use of the site for residential purposes, and that it is no longer required for the purpose for which it was initially used and developed (i.e. custodial housing associated with Delaney Park) • Public access will continue to be restricted by the current use of the site and there is neither a demonstrated need nor any Council plans to use it for future recreational purposes • Provides for future use and development that could diminish the existing residential character and amenity of the site (e.g. public toilets, changing sheds, club rooms) • Requires a resource consent to be sought for any future use or development of the site that is non-recreational in nature
<p>Option 2: Retain site as General Recreation Activity Area and convert dwelling to a community facility</p> <p>NOT RECOMMENDED</p>	<p>Benefits:</p> <ul style="list-style-type: none"> • Avoids the cost associated with a plan change process • Provides for the continued use of the site for public/community versus private purposes <p>Costs:</p> <ul style="list-style-type: none"> • Fails to recognise the historic and contemporary use of the site for residential purposes • There is neither a demonstrated need nor any Council plans to establish a community facility in the locality • Restricts the nature of activities which can take place on the balance of the site to those that are recreational in nature • Requires a resource consent (as a discretionary activity) to be sought to convert the use of the dwelling to a community facility

<p>Option 3: Re-zone site General Residential Activity Area</p> <p>RECOMMENDED</p>	<p>Benefits:</p> <ul style="list-style-type: none"> • Recognises the historic and contemporary use of the site for residential purposes, and that it is no longer required for the purpose for which it was initially used and developed (i.e. custodial housing associated with Delaney Park) • Retains the existing residential character and amenity of the site and the contribution it makes to the surrounding residential area • Promotes efficient use of reticulated on-site services • Provides for an efficient use of land that Council (as the owner) has no further use or alternative plans for <p>Costs:</p> <ul style="list-style-type: none"> • Loss of future opportunities for the site to be used for recreational purposes • Costs associated with a plan change process
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Summary:

Re-zoning the property at 238 Stokes Valley Road to General Residential Activity Area will allow the historic and existing use of the site for residential purposes to continue. It will also permit the site to be utilised in a manner that makes efficient use of existing on-site development and associated infrastructure, while ensuring that the amenity values associated with the surrounding residential area and adjacent Delaney and Speldhurst Parks are maintained.

Consequently, the re-zoning of the site to General Residential Activity Area is considered appropriate given its use, size, character and location relative to other similarly zoned land in the vicinity. It will also ensure that any future development that might occur on the site is of a nature and scale that corresponds with the characteristics anticipated by the District Plan in an environment that is predominantly residential.

8. RISK OF ACTING OR NOT ACTING

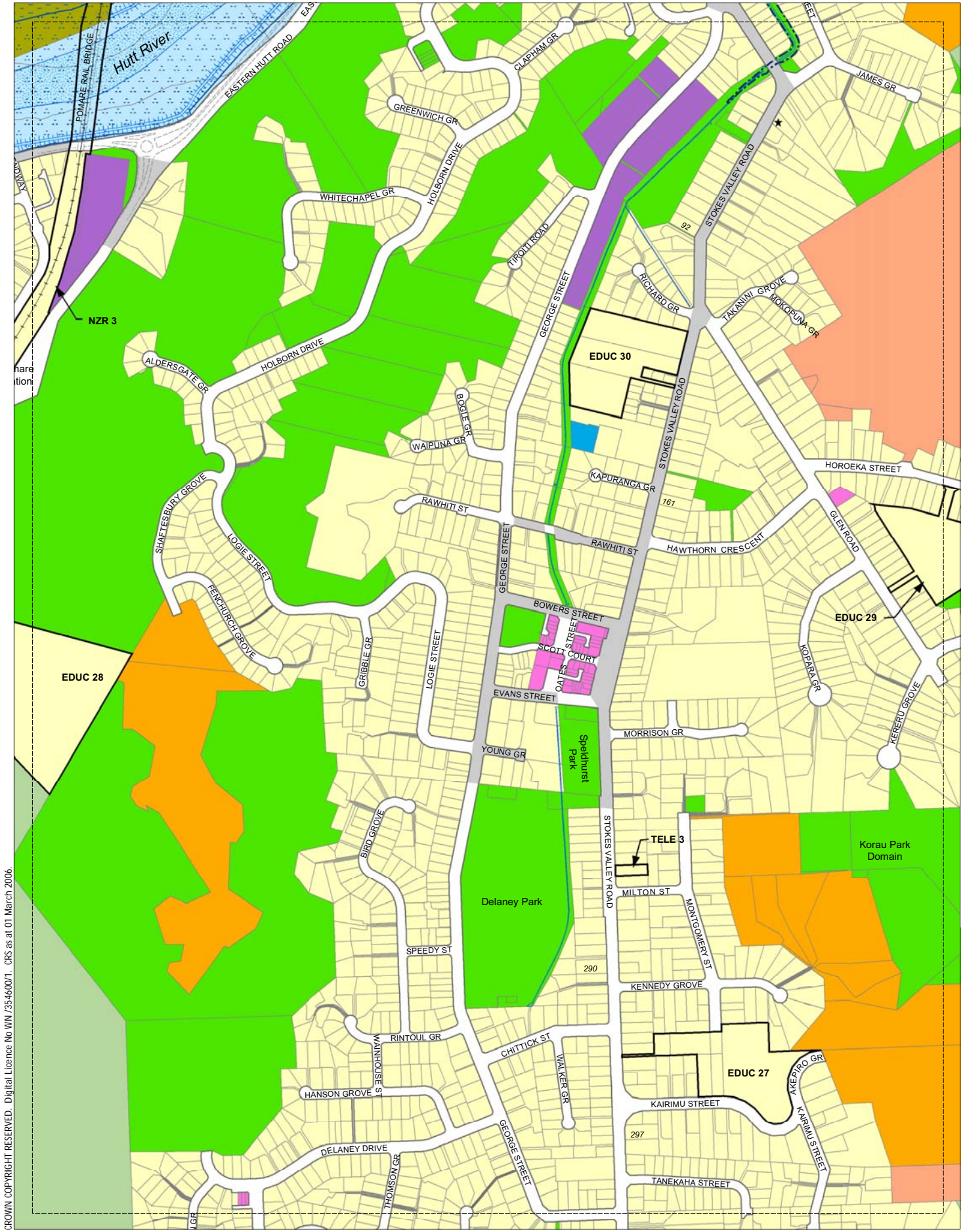
A section 32 evaluation must also take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

In this regard it is considered that Council has sufficient information about the subject matter of Proposed Plan Change 18 to act on this proposal.

Appendices

- Appendix 1:** Operative District Plan Map G2
Appendix 2: Infrastructure Report for 238 Stokes Valley Road

Appendix 1: Operative District Plan Map G2



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Updated 14 March 2006

ACTIVITY AREAS			ANNOTATIONS			<table border="1"> <tr><td>F1</td><td>G1</td><td>H1</td></tr> <tr><td>F2</td><td></td><td>H2</td></tr> <tr><td>F3</td><td>G3</td><td>H3</td></tr> </table>			F1	G1	H1	F2		H2	F3	G3	H3
F1	G1	H1															
F2		H2															
F3	G3	H3															
<ul style="list-style-type: none"> General Residential Special Residential Historic Residential Hill Residential Landscape Protection Rural Residential General Rural 	<ul style="list-style-type: none"> Central Commercial Petone Commercial Suburban Commercial Special Commercial General Business Special Business Avalon Business 	<ul style="list-style-type: none"> Extraction General Recreation Special Recreation River Recreation Passive Recreation Community Health Community Iwi 	<ul style="list-style-type: none"> City Boundary Designation Higher Density Residential Wellington Faultline Hydraulic Line Flood Protection Bank Railway Line 	<ul style="list-style-type: none"> Regional/Forest Park Heritage Area Primary River Corridor Secondary River Corridor 1 in 100 Year Flood Extent Building Setback Line Notable Tree Historic Place 													



District Plan - City of Lower Hutt

Scale 1:6000

G2

Appendix 2: Infrastructure Report for 238 Stokes Valley Road



19 January 2011

Capacity
Private Bag 39804
Wellington Mail Centre

Our ref: 51/28016//16A 238 Stokes
Valley Road - Stokes Valley (Delaney
Park) - V2.doc
YourRef

Attn: Yon Cheong

Dear Yon

Proposed District Plan Change 16A: 238 Stokes Valley Road, Stokes Valley (Delaney Park)

Hutt City Council are proposing to re-zone 238 Stokes Valley Road (being part of Part Lot 2 DP 18888, CT WN825/53) from *General Recreation Activity Area* in the Lower Hutt District Plan to *General Residential Activity Area*. This relates to an area of land approximately 990 m² in size and comprises the former custodian's house and grounds at Delaney Park. There is currently a dwelling on this land originally constructed for the purposes of housing an on-site custodian. With the advent of changes in work practices and parks maintenance operations the dwelling is no longer required for this purpose and has been privately tenanted for some years.

We have been asked to outline any impact the proposed rezoning may have on the existing water, wastewater and stormwater infrastructure.

1 Change in Activity

Given that the former custodian's house at 238 Stokes Valley Road is currently privately tenanted with residential activity, rezoning this area is unlikely to have significant, if any impact on the existing water, wastewater and stormwater.

There is however water, wastewater and stormwater infrastructure located within the proposed parcel, discussed in more detail below. The maintenance of these assets should be considered if re-zoning occurs, if this parcel is sold, consideration should be given to creation of easements to allow future maintenance. Any future development of this parcel should consider the location of these assets.

Figure 1 attached shows this area and any local water, wastewater and stormwater infrastructure.

2 Water

There are four water mains on the southern boundary of the proposed parcel, these are: -

- ▶ An abandoned 250 mm diameter PE High Pressure Bulk Main
- ▶ An abandoned 300 mm diameter AC High Pressure Bulk Main
- ▶ A 300 mm diameter RRJ CLDI High Pressure Bulk Main
- ▶ A 300 mm diameter RRJ CLDI Low Pressure Bulk Main

and are shown in Figure 1 attached.



3 Wastewater

There is a 225 mm diameter RC Sewer crossing the proposed parcel near the western edge of the existing dwelling. There is also a 300 mm diameter AC Sewer running down the middle of Stokes Valley Road.

4 Stormwater

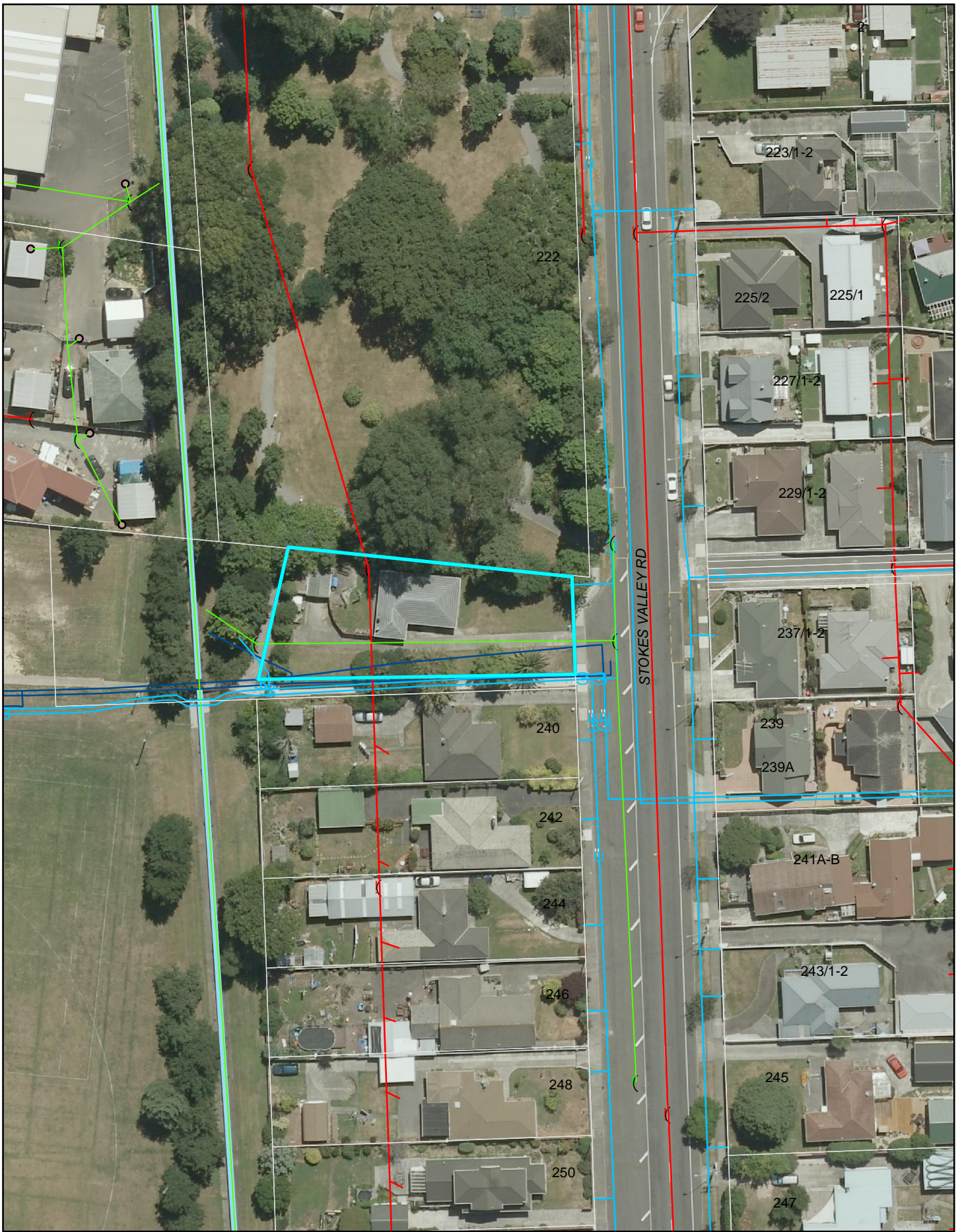
There is a 300 mm crossing the parcel from east to west under the existing driveway, this takes stormwater from Stokes Valley Road discharging it into Waddington Canal.

The flood maps do not show any flooding in the immediate vicinity of the area proposed for re-zoning.

Yours faithfully
GHD Limited

A handwritten signature in blue ink, appearing to read 'L. Toy'.

Lynley Toy
Water Engineer
576 0633



1:849 (at A4)
 0 3.5 7 14 21 28
 Metres
 Map Projection: Transverse Mercator



Hutt City Council
 Proposed District Plan Changes
 238 Stokes Valley Road

Job Number	XX-12345
Revision	A
Date	8 December 2010

Figure 1

Part 5: Copy of Submission Form

Submission on publicly notified Proposed District Plan Change



Clause 6 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. **This is a submission from:**

Full name	<i>Last</i>		<i>First</i>	
Company/organisation				
Contact <i>if different</i>				
Address	<i>Number</i>	<i>Street</i>		
	<i>Suburb</i>			
	<i>City</i>		<i>Postcode</i>	
Address for Service <i>if different</i>	<i>Postal Address</i>		<i>Courier Address</i>	
Phone	<i>Day</i>		<i>Evening</i>	
Fax	<i>Mobile</i>			
Email				

2. This is a **submission** on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

Title of Proposed District Plan Change:

3. The specific provisions of the proposal that my submission relates to are:

Please give details:

(Please use additional pages if you wish)

4. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views:

(Please use additional pages if you wish)

5. I seek the following decision from Hutt City Council:

Give precise details:

(Please use additional pages if you wish)

6. I **wish** **do not wish** to be heard in support of my submission.

(please tick one)

7. If others make a similar submission,

I **will** **will not** consider presenting a joint case with them at the hearing.

(please tick one)

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Date

Submission number
OFFICE USE ONLY