

Proposed District Plan Change 22

**6 – 15 Kelso Grove, Kelson
Rezoning of Part of the Site as General Residential Activity Area**

Summary of Submissions

**Publicly Notified:
Further Submissions Close:**

**12 July 2011
26 July 2011 at 5.00pm**

PUBLIC NOTICE

Public Notification of the Summary of Submissions on Proposed District Plan Change 22 to the City of Lower Hutt District Plan

Clause 8 of the First Schedule – Part 1 of the Resource Management Act 1991

Hutt City Council has prepared the summary of submissions received on

PROPOSED DISTRICT PLAN CHANGE 22: 6 – 15 KELSO GROVE, KELSON, RE-ZONING OF PART OF THE SITE TO GENERAL RESIDENTIAL ACTIVITY AREA

The summary of the decisions sought and full copies of the submissions are available and can be inspected at

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

Alternatively, the summary of submissions is available on the Council website:

- <http://www.huttcity.govt.nz/Your-Council/Plans-and-publications/District-Plan/District-Plan-changes/District-Plan-change-22/>

Copies can also be requested by contacting Hutt City Council:

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

Further Submissions close on 26 July 2011 at 5.00pm

Persons who are representing a relevant aspect of the public interest or persons who have an interest in the proposed plan change that is greater than the interest of the general public can make a submission in support of, or in opposition to, the submissions already made.

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

You must also send a copy of your further submission to the person on whose submission you are supporting or opposing within five working days of sending your further submission to Hutt City Council.

The further submission must be written in accordance with RMA Form 6 and must state whether or not you wish to be heard on your submission. Copies of Form 6 are available from the above locations and the Council website.

Please state clearly the submission reference number to which your further submission relates.

Tony Stallinger
Chief Executive

12 July 2011

SUBMISSIONS RECEIVED

<i>Sub. No</i>	<i>Name/Organisation</i>	<i>Page No.</i>
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SUMMARY OF SUBMISSIONS - PROPOSED PLAN CHANGE 22

Submission Number: DPP12-5-22-001					
Submitter	Sub. Ref.	Amendment & Provision	Support / Oppose	Reasons	Decision/Relief Sought
Wayne Wootton	1.1	Entire Plan Change	Oppose	<p>The location of the site is poor for a residential development as it is not drained; it was formerly a dumping site for spoil and is soggy in winter and rock hard in summer.</p> <p>The eastern side of the reserve is sunny but is boggy and unsuitable for development.</p> <p>The western and southern sides of the reserve are damp and shaded. Housing located in a damp area with poor sun will affect the health of the residents.</p> <p>The residential sections resulting from a subdivision of the site would be marketed at a low price due to their poor location.</p> <p>The submitter is also concerned that the development of housing on the site would result in privacy and security issues for adjoining properties.</p> <p>The submitter questions why the Council is competing against land developers using rate-payers money.</p> <p>The submitter advises that from a business point of view, it costs next to nothing to mow the existing reserve 10 times a year so that people can continue to use the reserve for recreation.</p>	To retain the whole reserve within the General Recreation Activity Area.

Submission Number: DPP12-5-22-002					
Submitter	Sub. Ref.	Amendment & Provision	Support / Oppose	Reason	Decision/Relief Sought
Wendy Saunders and Gerry Dance	2.1	Part 1, Section 2, Page 1, Paragraph 2		The submitter questions the conclusion that the land is no longer required for reserve for informal recreation. The area is used by the community and a number of submissions opposed removing the recreation reserve status from the site.	That the Council do not assume that the reserve is not required by the community for recreation activities and that this statement does not prejudice any decision on the fate of the reserve.
	2.2	Part 4, Section 2, Page 11; Part 4, Section 5, Page 20		The reserve is generally not visible when viewed from the wider environment. The Section 32 Evaluation states that the reserve has low to moderate recreational values due to its relative isolation and poor visibility. In a previous submission in 2008, the submitter recommended that the vegetation be cleared from the top of Kelso Grove to improve visibility of the site. This request was not actioned.	Clear the vegetation at the top of Kelso Grove to improve the visibility and increase natural surveillance of the reserve.
	2.3	Part 4, Section 3, Page 12	Oppose	The submitter is opposed to the reserve being rezoned for residential development as it was part of the reserves contribution for the original Kelson subdivision.	To retain the whole reserve within the General Recreation Activity Area.
	2.4	Part 4, Section 4, Page 13; Part 4, Section 5.8, Pages 32 – 33	Oppose	The majority of previous submitters were opposed to the removal of the recreation reserve status from the site and were concerned with the potential loss of recreational activities, which this Plan Change will instigate.	That the Council listen to the community and retain the reserve for informal recreation.
	2.5	Part 4, Section 4, Page 13; Page 21 Paragraph 1; Page 33, Section 5.8		\$200,000 has been earmarked for drainage and other improvements from the sale of the land. The balance of the sale proceeds may be used for projects outside the Kelson area. The submitter asks whether \$200,000 is enough to adequately address the drainage issues.	That the Council ensure that \$200,000 is enough funding to provide adequate drainage for the reserve.
	2.6	Part 4, Section 5, Page 14	Oppose	The rezoning will have a more than minor effect on the amenity values and character of the site and surrounding area as the appearance of the site will change, along with the existing landform and vegetation, due to earthworks and vegetation removal.	To retain the whole reserve within the General Recreation Activity Area.
	2.7	Part 4, Section 5, Page 15, first	Oppose	The submitter asks what the assumption is based on that the houses built on the site would be similar in scale to	To retain the whole reserve within the General Recreation Activity Area.

	paragraph		existing housing in Kelson and asks whether the quality of the housing can be guaranteed. The submitter is also concerned about the amount of shading the houses built on the site will have.	
2.8	Part 4, Section 5, Page 16; Appendix 5, Section 7, Page 4		Pedestrian access to the reserve is not addressed and needs to be considered if the reserve is to continue to be used by the community.	That further investigations of pedestrian access are undertaken and incorporated into the access design.
2.9	Part 4, Section 5, Page 17		The forest on the site is considered significant, provides an ecological corridor for a variety of species and should be retained.	That the vegetation on the site is not cleared.
2.10	Part 4, Section 5, Page 17; Page 23, point 3; Appendix 6, Page 1.		Council has an extensive weed control programme in place which is targeted at various weed species. This is prioritised as the cost of eradicating all weeds on Council land would be prohibitive.	That the lack of weed control on the site by the Council does not prejudice any decision on the quality of the reserve had weed control been thoroughly undertaken.
2.11	Part 4, Section 5, Page 19		The submitter is concerned about the effects of additional sewerage on the temporary pipeline along the Vista Grove landslide and asks whether the additional service requirements on this pipeline have been considered.	That a review of the sewerage options and their implications on the Vista Grove temporary pipeline be assessed.
2.12	Part 4, Section 5, Page 19		The site geology and soil profile should be further investigated as this will have implications for earthworks and associated mitigation measures. Large retaining walls would need to be properly engineered and even then there is a risk of failure, which needs to be considered in any assessment of options.	Further investigate the geology of the slopes and mitigation options.
2.13	Part 4, Section 5, Page 20		The submitter asks whether the earthworks required for residential development of the site would be publicly notified.	
2.14	Part 4, Section 5, Page 20; Part 4, Section 5.6.1, Page 29; Part 4, Section 5.6.1, Page 30; Appendix 5, Page 1	Oppose	<p>The reserve provides the only dog exercise area in Kelson. While the Belmont Recreational Reserve is available for dog exercising, it requires a vehicle to access.</p> <p>Reducing the size of the reserve as proposed does not provide for adequate open space for dog exercise areas.</p> <p>The Kelson school field is not an appropriate dog exercise area.</p>	<p>That the Council recognise the importance of the reserve as being the only dog exercise area in Kelson and that the alternative requires car transport.</p> <p>That the Council retain the reserve as existing, to provide adequate provision of open space in Kelson.</p> <p>That the Kelson school field is not supported as an alternative dog exercise area.</p>

2.15	Part 4, Section 5, Page 20; Part 5, Section 5.1, Page 23; Part 4, Section 5.1, Page 22		An assumed benefit from the Plan Change is increased natural surveillance which would arise from future dwellings overlooking the remaining reserve. However, there is no guarantee that housing will improve general safety of users of the reserve, and may even raise concerns regarding safety.	That the Council does not assume that safety of the reserve will improve with increased surveillance.
2.16	Part 4, Section 5, Page 21		It would be beneficial to have a development plan for the reserve, as recommended in the PAOS report (Appendix 8 of the Plan Change).	That the Council implements the PAOS report recommendation of a development plan for the reserve.
2.17	Part 4, Section 5.1, Page 22	Oppose	The submitter questions whether it is generally accepted that the Plan Change does not affect the recreational opportunities available to the Kelson community. The submitter notes that 28 submitters opposed the removal of the recreation reserve status from the site. The proposal will affect the recreational opportunities of the community by reducing the area available for recreation activities.	That the Council not accept that the Plan Change is generally acceptable to the Kelson community.
2.18	Part 4, Section 5.2, Page 25	Oppose	Policy 8 of the Regional Policy Statement encourages good urban design and enhancing and protecting amenity values. The indicative subdivision plan will not encourage good urban design as many of the lots will have very limited sunlight. The amenity values of the reserve will be compromised by the development due to removal of vegetation and earthworks.	That the Council, as a signatory to the Urban Design Protocol, does not allow the Plan Change to proceed, unless measures can be put in place to ensure that good urban design will prevail above costs.
2.19	Part 5, Section 5.6.1, Page 29; Section 6.0, Page 33	Oppose	While there are examples of development on properties with a similar slope to the site, this does not make it acceptable. Risk of landslides is very real. In addition, good urban design should allow for adequate sunshine.	That the Council does not accept the precedent of existing development of steep slopes.
2.20	Part 4, Section 5.6.2, Page 31		Policy 7A 1.1.1 (a) of the District Plan raises a possible concern that the residential activity proposed to adjoin the remaining reserve area may result in reverse sensitivity issues.	That the Council investigate safeguards for the dog exercise area status of the remaining reserve to ensure it is retained for future generations of Kelson residents.
2.21	Part 4, Section 6, Page 34		While the Council's decision to sell the reserve is not considered under the Resource Management Act (RMA), the submitter considers it a matter of social and environmental well-being for the Kelson community –	That the Plan Change is considered in terms of the social and environmental well-being of the Kelson community under the LGA as well as the RMA.

				under the Local Government Act (LGA) as well as the RMA.	
2.22	Part 4, Section 6, Page 34	Support		As a regular user of the reserve, the submitter supports Option 1, to retain the status quo. Keeping the land as reserve while trimming vegetation from the top of Kelso Grove will improve the safety of the reserve by increasing natural surveillance.	That the Council support Option 1, retain the site as General Recreation Activity Area, and trim the vegetation at the top of Kelso Grove.
2.23	Part 4, Section 6, Page 34	Oppose		The submitter opposes Option 2, to rezone part of the site General Residential Activity Area, for the reasons outlined in the submission.	That the Council does not support Option 2 to rezone part of the site to General Residential Activity Area.
2.24	Part 4, Section 6, Page 35	Support		With the limited information available, the submitter supports Option 3, rezone part of the site as Hill Residential Activity Area. Option 3 should be further scoped and considered by the community and Council, rather than assuming it is not viable.	That the Council scope the viability of Option 3, rezone part of the site Hill Residential Activity Area, as an alternative to Option 1.
2.25	Part 4, Section 6, Page 35	Oppose		The submitter opposes Option 4, rezone part of the site as Medium Density General Residential Activity Area, due to the costs outlined in the Section 32 Evaluation.	That the Council does not support Option 4.
2.26	Appendix 5, Section 3, Page 2			The traffic assessment does not take into account the increased traffic movements from the large subdivision approved at Waipounamu Drive, and the effects on the State Highway 2/Major Drive intersection.	Review the traffic assessment and take into account the approved subdivisions in Kelson and their impacts on the State Highway 2 intersection with Major Drive.
2.27	Appendix 6, Page 2, Page 10	Support		The submitter supports a weed control and replanting programme for the reserve.	That the Council support and implement a weed control and replanting programme for the reserve.
2.28	Appendix 6, Page 5, 6 - 7			The submitter supports the retention of the bush and its relationship to the KNE and SNR Area 23. The birdlife in the area provides a lot of enjoyment for people in the area and incremental removal could affect the bush corridors. The forest is ecologically significant and should not be removed.	That the Council does not support any vegetation removal on the site.
2.29	Appendix 6, Page 8			The Kereru (wood pigeon) provide a lot of enjoyment for people in the area. They are a threatened species and the loss of habitat would be of some ecological significance and as such it is important that the bush is retained.	That the Council does not support any vegetation removal on the site.
2.30	Appendix 6, Page 9			The submitter supports the conclusion of the Ecological Assessment that the effects of the Plan Change could have significant effects on the environment.	That the Council does not support the Plan Change based on the effects on the environment.

	2.31	Appendix 8, Page 23		The submitter supports the future proofing of the reserve, especially as a raise in population may increase demand for the reserve.	That the Council supports the future proofing of the reserve by retaining the reserve as General Recreation Activity Area.
	2.32	Appendix 8, Page 23		Any track around the reserve should be constructed as an all-weather surface, for children's bikes and walkers.	That the Council ensure that any track around the reserve is constructed as an all-weather surface.

Submission Number: DPP12-5-22-003					
Submitter	Sub. Ref.	Amendment & Provision	Support / Oppose	Reason	Decision/Relief Sought
James Hogan	3.1	Vegetation removal associated with rezoning	Support in part	The submitter supports the subdivision of the site but would like all trees within the site to be preserved. The trees improve the aesthetic view from the submitter's property.	That caveats/covenants or some other legal form of protection be given to preserve the trees contained within the site.

Submission Number: DPP12-5-22-004					
Submitter	Sub. Ref.	Amendment & Provision	Support / Oppose	Reason	Decision/Relief Sought
Russell and Evelyn Stewart	4.1	Entire Plan Change	Oppose	<p>The proposed Plan Change will have a permanent effect on the site, the surrounding area and the native flora and fauna in these areas.</p> <p>Should the proposal proceed the following points need clarification:</p> <ol style="list-style-type: none"> 1. That the proceeds from the sale of the land be used to improve the condition of the remaining recreation reserve as a whole, not just the drainage. 2. The Kelso Sports Ground is listed as a dog walking area. As Kelson has one of the highest dog ownership ratios in Lower Hutt, this area should be retained as a dog walking/off the leash area and that intent made part of the Plan Change. 	That the Council address the concerns raised in the submission.

				<p>3. The requirement of car parking shown on the indicative plans should be amended in both the Kelso Grove turnaround area and the new extension. The proposal will remove the existing parking area at the end of Kelso Grove. It is not uncommon to have a dozen or more cars parking at the start and end of the school day and three or four cars parked by people using the sports ground later in the day. Any improvement of the reserve will increase the requirement for parking on the lower area, while the requirement for parking for school access will remain.</p>	
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Submission Number: DPP12-5-22-005					
Submitter	Sub. Ref.	Amendment & Provision	Support / Oppose	Reason	Decision/Relief Sought
Greater Wellington Regional Council	5.1	General	Neutral	<p>The submitter highlights concerns that should be considered when a decision is made on the Plan Change. The Plan Change has been assessed for consistency with the regional policy documents, and is generally regarded as being consistent with regional policy direction. However, the concerns of the submitter relate to the sites existing indigenous biodiversity and its connection to a Key Native Ecosystem (KNE).</p>	<p>That the Hutt City Council consider the following points when making a decision on the Plan Change:</p> <ul style="list-style-type: none"> - That lots 1, 2, 3, 14 and 15 are excluded from the Plan Change and protected as Scenic Reserve or kept in the General Recreation Activity Area. - That parts of lots 4, 5, 6 and 8 are also excluded from the Plan Change and protected as Scenic Reserve or kept in the General Recreation Activity Area. - That the area containing significant vegetation (shown on map ref 27618V) should be incorporated into the Scenic Reserve or General Recreation Activity Area as opposed to being left to be covenanted/protected at the subdivision stage.
	5.2	Effects on indigenous biodiversity	Neutral	<p>The main issue is the potential adverse environmental effects on the nationally threatened indigenous biodiversity on the site and the submitter seeks changes to the proposed residential boundaries to address this issue.</p> <p>The submission identifies the relevant provisions from the operative and proposed Regional Policy Statements that should be taken into account (RPS 1995, Chapter 9 - Ecosystems, Policy 4 and 7; PRPS 2010, Section 3.6 – Indigenous Ecosystems, Policy 22 and Policy 46).</p>	

			<p>The submitter advises that the areas of secondary forest within the site occur within a land environment (LENZ unit c2.1e) that has lost more than 90% of its former natural land cover nationally and is also within a regionally significant KNE.</p> <p>As part of its KNE programme, Greater Wellington has been undertaking pest control in the area since 2000. The area has a healthy bird population and is well connected to other forest areas. Retention of these areas as reserve will ensure that the benefits to the ecosystem of the pest control are maintained.</p> <p>The submitter supports a weed control and replanting programme in association with Greater Wellington, as recommended by the Ecological Assessment in Appendix 6 of the Plan Change.</p> <p>The submitter outlines why the vegetation on the site is significant referring to the Ecological Assessment, LENZ unit c2.1e, the relevant policies of the Regional Policy Statements and the Proposed National Policy Statement on Indigenous Biodiversity.</p>	<ul style="list-style-type: none"> - That parts of lots with ecological values should be protected by extending the Significant Natural Resource boundaries to include these areas so that they have appropriate protection should the land be subdivided.
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ADDRESS FOR SERVICE – PROPOSED PLAN CHANGE 22

Submission No.	Name/Organisation	Address
DPP12-5-22-001	Wayne Wootton	██████████ Lower Hutt, 5010
DPP12-5-22-002	Wendy Saunders and Gerry Dance	██████████ Lower Hutt, 5010
DPP12-5-22-003	James Hogan	██████████ Lower Hutt, 5010
DPP12-5-22-004	Russell and Evelyn Stewart	██████████ Lower Hutt, 5010
DPP12-5-22-005	Greater Wellington Regional Council, attn Caroline Ammundsen	PO Box 11646, Wellington, 6142