

OFFICER'S REPORT FOR: District Plan Subcommittee

SUBJECT: Proposed District Plan Change 17 –
11 Seddon Street – Rezoning as General
Residential Activity Area

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Hutt City Council

REPORT DATE: 3 August 2011

DATE OF HEARING: No hearing required

EXECUTIVE SUMMARY

The purpose of Proposed Plan Change 17 is to re-zone the Hutt City Council (Council) owned site at 11 Seddon Street from General Recreation Activity Area to General Residential Activity Area in the City of Lower Hutt District Plan.

This Plan Change is the result of Council's 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 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.

Plan Change 17 was notified on 12 April 2011, with submissions closing on 13 May 2011. The summary of submissions was notified on 7 June 2011, with further submissions closing on 21 June 2011.

A total of one original submission and no further submissions were received.

As the only submitter has withdrawn their request to be heard on this plan change, no hearing of submissions is required as stated in Schedule 1, Part 1, Section 8C of the Resource Management Act 1991.

The following report recommends that the Council accept the submission for the reasons as outlined under section 5 of this report.

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1. INTRODUCTION

This report discusses and makes a recommendation on the submission received in relation to Plan Change 17 – 11 Seddon Street – Rezoning as General Residential Activity Area (hereafter referred to as the Plan Change).

The intention of the Plan Change is to re-zone the Hutt City Council (Council) owned site at 11 Seddon Street from General Recreation Activity Area to General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan).

Although this report is intended as a stand-alone document, a more in-depth understanding of the Plan Change, the process undertaken, and related issues may be gained by reading the Section 32 Evaluation and associated Plan Change documents as publicly notified in April.

2. BACKGROUND

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.

The future of the site located at 11 Seddon Street was considered by Council on 15 December 2009, with the Council passing the following resolutions:

RESOLVED: Minute No. C 090624(2)

“That Council recommends to the Minister of Conservation that:

- i. the Recreation Reserve status of an area of approximately 1000 m², being part of Part Lot 1 DP 33067, situated at 11 Seddon Street Naenae, being the former Naenae Park custodian’s house and grounds be revoked to enable the property to be sold and the proceeds to be transferred to the Council’s Reserves Purchase and Development Account for the improvement, development or purchase of other reserves in accordance with its reserves’ strategy;”*

Following the adoption of this resolution Council sought the consent of the Minister of Conservation, under s24 of the Reserves Act, to revoke the recreation reserve status over 11 Seddon Street. Ministerial consent was confirmed for the Seddon Street site by the Department on 10 May 2010.

Plan Change 17 was notified on 12 April 2011, with submissions closing on 13 May 2011. The summary of submissions was notified on 7 June 2011, with further submissions closing on 21 June 2011.

3. HISTORY/SITE DESCRIPTION

Historic context:

The site is currently part of the Certificate of Title held for Naenae Park (WN21D/849). The park was originally part of a larger area of land held by the Crown for state housing purposes, but in 1962 was set apart from this larger holding and vested in the Mayor, Councillors and citizens of the City of Lower Hutt as a reserve for recreational purposes under the Reserves and Domains Act 1953.

Site description:

The site is zoned General Recreation Activity Area and is situated off Seddon Street, at the western end of Naenae Park behind the Naenae Kindergarten. It comprises an unsurveyed area of land of approximately 1,000 m² within Part Lot 1 DP 33067, Certificate of Title WN21D/849, which is the area currently fenced and/or developed for residential purposes. Although not actively managed as reserve, the subject area is covered by the Sportsground Reserves and Bush Reserves Management Plans applicable to Naenae Park.

The site is a flat, grassed area that contains a dwelling and two small ancillary buildings. The dwelling and grounds are physically separated from the rest of Naenae Park by a mature, curved line hedge of trees to the east and a fence along the southern boundary. The balance of the perimeter boundaries are either fenced or planted with trees and shrubs.

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.

As the site is a rear section, access is provided via an accessway off Seddon Street. A radio transmitter operated by Broadcast Communications Limited is located on the southern boundary of the accessway adjacent to the Naenae Kindergarten site. The operation of this transmitter is currently covered by existing use rights and a licensing agreement with the Council.

The adjacent area to the north and east of the site is within the General Recreation Activity Area and consists of sports grounds and facilities associated with Naenae Park. The wider surrounding properties, including the Naenae Kindergarten, are within the General Residential Activity Area and are predominantly used for residential purposes.

4. LIST OF SUBMITTERS

The following submitter has lodged a submission on Plan Change 17:

Submission Number	Name of Original Submitters	Submission Reference
DPP12-5-17-001	Greater Wellington Regional Council	1.1

5. ANALYSIS OF SUBMISSIONS AND RECOMMENDATIONS

This section of the report provides a brief summary of the submission and a recommendation in response to the decision sought.

In the heading the submission number, the name of the submitter and the submission reference are printed in bold. Then the decision sought by the submitter is outlined and specific comments made by the submitter are summarised. This is followed by a discussion of the issues raised and the officer's recommendation.

With respect to determining the scope of a submission, reference is made to Clause 6 of the First Schedule to the Resource Management Act 1991 (referred to as the Act) which states:

“6. Making submissions

Any person, including the local authority in its own area, may, in the prescribed form, make a submission to the relevant local authority on a proposed policy statement or plan that is publicly notified under clause 5.”

A submission on a plan change is therefore limited in that it must be “on” the plan change.

In the case of Plan Change 17 the purpose of the Plan Change was to address the intention to zone a Council owned parcel of land as General Residential Activity Area.

Accordingly, for a submission to be deemed to be within the scope of Plan Change 17 the submission must relate to any one of the issues addressed in the Plan Change.

Submission:

DPP12-5-17-001 - Greater Wellington Regional Council - 1.1

Request of Submitter

Not stated.

Specific Comments

The submitter wishes to make a neutral submission on Proposed Plan Change 17. The plan change was assessed for its consistency with regional policy documents and was found to be generally consistent.

Discussion

The Submission received from Greater Wellington Regional Council relates to Proposed Plan Changes 17 to 21, however the main issues addressed relate to Proposed Plan Change 20. The submission is still directly relevant to Plan Change 17 as it specifically states it was assessed for its consistency against regional policy documents and found to be generally consistent.

Recommendation

It is recommended that the submission lodged by Greater Wellington Regional Council be **Accepted** to the extent that the provisions of Proposed Plan Change 17 remain unchanged.

APPENDIX 1: PLAN CHANGE 17 AS RECOMMENDED



Proposed Plan Change 17

Planning Map E4 : Amend by rezoning the identified hatched area from General Recreation Activity Area to General Residential Activity Area.
11 Seddon Street, Naenae



Scale 1:2,500



District Plan - City of Lower Hutt