

# Proposed District Plan Change 27

151 HOLBORN DRIVE, 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 27

The purpose of Proposed District Plan Change 27 is to rezone a portion of Council owned land at 151 Holborn Drive, Stokes Valley as General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan). 151 Holborn Drive is identified by Hutt City Council as being a long strip of parcels stretching from 9 Holborn Drive in the north to Logie Street at its southern extent. The proposed plan change only affects a small portion of this area and therefore for the purposes of this report, 151 Holborn Drive is considered as the three parcels directly opposite Holborn Playground (158 Holborn Drive) and the area proposed to be rezoned is hereafter referred to as 'the Site'.

151 Holborn Drive is currently zoned General Recreation Activity Area in the District Plan. The area proposed to be zoned General Residential Activity Area is approximately 1.5 hectares and is located in the northwest portion of the parcels. A plan of the Site illustrating the area proposed to be rezoned is attached as Appendix 1. It is proposed that the balance of the property will retain its current General Recreation Activity Area zoning. No new District Plan provisions, such as objectives, policies and rules, are proposed to be introduced as a result of the proposed plan change. The only amendments which would need to be made are to the District Plan Maps to reflect the zone change.

### 2. Reasons for Proposed Plan Change

Since 2007, Hutt City Council (Council) has been undertaking a review of all the land it holds in fee simple ownership and manages as reserve throughout Lower Hutt. The objective of the review is to ensure that 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 areas at 151 Holborn Drive were included in the land review as it was considered to be under utilised in its current form and had development potential for residential purposes under the provisions of the District Plan's General Residential Activity Area zoning. Consultation was carried out with the local community in accordance with the requirements of the Local Government Act 2002. As a result, Council decided to rezone a portion of the parcels of land directly adjacent to 158 Holborn Drive, in a manner which would facilitate residential development. The remainder of the property would retain its current zoning and would continue to be managed as reserve. The extent of the area proposed to be zoned General Residential Activity Area is shown on the plan attached as Appendix 1. An indicative development which involves the establishment of 14 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 27 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 27, 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 27

The process for preparing Proposed Plan Change 27 can be summarised as follows:

<b>March 2009</b>	A report to the Council's Strategy and Policy Committee which sought a resolution to dispose of part of the site. This resolution is carried by the Committee.
<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>May 2009</b>	The objections of the submitters are heard by the Strategy and Policy Committee and it is resolved to dispose of a portion of the site, as determined by the Land Review Working Group, once a geotechnical report has been obtained.
<b>November 2009</b>	A geotechnical report was received and on the basis of its findings, a 14 lot subdivision was identified as being appropriate for the site, subject to the outcome of the plan change process.
<b>13 March 2012</b>	Proposed Plan Change 27 adopted by Council for public notification
<b>27 March 2012</b>	Proposed Plan Change 27 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 the 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



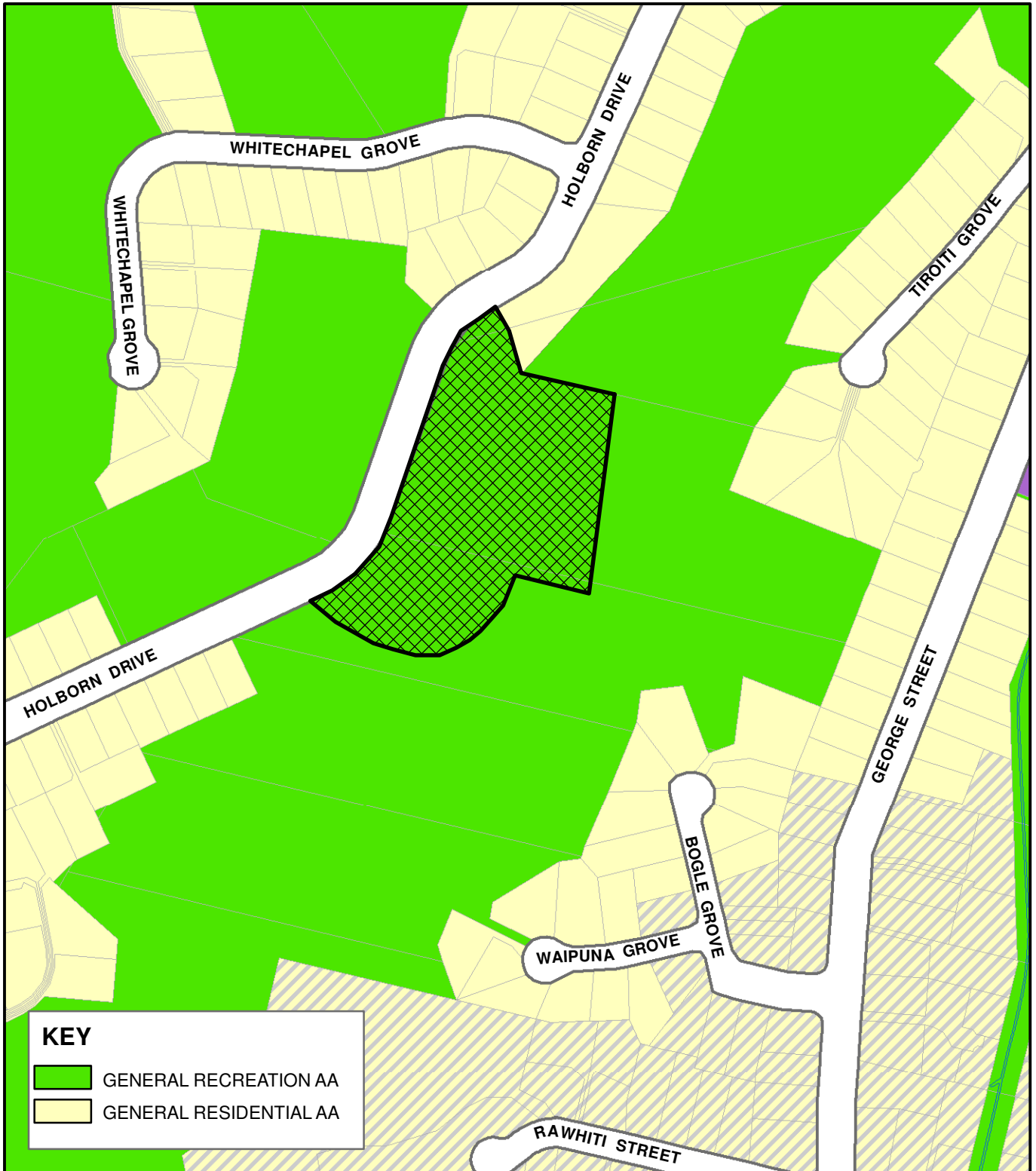
**Part 3:**

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**Proposed Plan Change 27  
Amendments to District Plan Map**

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## Proposed Plan Change 27

151 Holborn Drive, Stokes Valley

(Pt Lot 3 DP 20917, Pt Lot 8 DP 20501 and Pt Sec 199 Hutt District SO10500)



Land to be zoned General Residential Activity Area

Planning Map G2



**District Plan - City of Lower Hutt**



Scale 1:3000



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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 proposed 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 proposed 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 northwest portion of 151 Holborn Drive, Stokes Valley (adjacent to 158 Holborn Drive), from General Recreation Activity Area to General Residential Activity Area. The Section 32 evaluation 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

#### 2.1 Physical Description

The area of the proposed plan change is a small part of the property situated at 151 Holborn Drive, Stokes Valley. For the purposes of this report, 151 Holborn Drive is considered as the three parcels directly opposite the Holborn Playground at 158 Holborn Drive. The proposed plan change only affects a portion of these three parcels at 151 Holborn Drive and the area proposed to be rezoned is hereafter referred to as 'the Site'. (Appendix 1 shows the part of the site proposed to be rezoned.)

The area is located just below the ridgeline on the western side of Stokes Valley and is bound by reserve land to the north and south, residential properties off George Street, Tiroiti Grove and Bogle Grove to the east and Holborn Drive to the west.

The site proposed to be rezoned is accessed via a formed pedestrian walkway to the north and an existing unformed driveway to the south. The property does not contain any buildings and can be generally described as steep vegetated hillside with two open grassed terraces. These two grassed terraces are both relatively flat. The smaller of the two grassed terraces is located immediately adjacent to Holborn Drive. The second, and larger grass terrace, comprises approximately 50% of the area subject to the proposed plan change and is located approximately 10m below the Holborn Drive carriageway.

The remainder of 151 Holborn Drive is a relatively steep hillside which drops away from Holborn Drive to the east to the valley floor. This hillside contains a mix of exotic and native vegetation.

## **2.2 Legal Description**

The property is legally described as Part Lot 3 DP 20917, Part Lot 8 DP 20501 and Part Section 199 Hutt District (SO 10500). The first two of these three parcels are held along with three other parcels in Part Cancelled Computer Freehold Register WNB3/881 which does not specify an area. The third parcel is held in Part Cancelled Computer Freehold Register WN966/66. The three above mentioned parcels together have an area of approximately 3.8 hectares, of which, 1.5 hectares is subject to the proposed plan change.

The parcel is zoned General Recreation Activity Area in the District Plan and is not located within a Significant Natural Resource Area.

The Site is currently managed under Bush Reserves Management Plan, however it is not gazetted as a reserve under the Reserves Management Act.

## **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 site was zoned Residential A. In 1973, the site has a recreational zoning under the District Scheme Review 2. Under the Proposed District Plan the site was zoned General Recreation Activity Area and has retained this zoning under the Operative District Plan.

## **4. BACKGROUND**

Since 2007, Council has been undertaking a review throughout Lower Hutt of all the land it holds in fee simple ownership and manages as reserve (including land classified as reserve under the Reserves Act 1977). The objective is to ensure all Council owned land that is 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 revoke the reserve status and consider releasing the site for sale.

In the case of this property the intention to dispose part of the site was publicly notified on 24 March 2009. At the close of the notification period, 11 submissions were received from the local community all of which opposed the disposal of the northwest portion of this property 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 that approximately 1.5 hectares in the

northwest portion of the site be the subject of a preliminary engineering and geotechnical assessment and be handed back to the Land Review Working Group to determine the feasibility for residential development prior to making a final decision as to its future.

In November 2009 the geotechnical report for the Site was received (Appendix 8) which also included an indicative layout for a potential 14 lot subdivision (Appendix 3), subject to the outcome of the plan change process. This subdivision would comply with the minimum allotment design and standards of the Subdivision Chapter of the District Plan, and would also be consistent with the wider character of the local environment. The boundaries which have been used to determine the extent of the proposed residential zone on the site have been based on this subdivision layout plan and on the assessments received from experts in the process of preparing this proposed plan change. As a result of these reports, the proposed residential zone boundaries have been adjusted slightly to avoid an area of significant vegetation and are now shown in Appendix 1.

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 zone a portion of 151 Holborn Drive General Residential Activity Area to facilitate residential development. The remainder of the site is not subject to this proposed plan change and will retain its current zoning, being General Recreation Activity Area.

It should be noted that the subdivision plan shown in Appendix 3 is only an indicative development demonstrating what could be undertaken on the property, if this portion of the property is zoned 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 changing the zoning of a portion of 151 Holborn Drive to General Residential Activity Area. An assessment of the potential environmental effects of the proposed plan change contributes to the overall evaluation of whether zoning the site General Residential Activity Area is appropriate in terms of achieving the purpose of the Act.

The potential environmental effects of the plan change are likely to be amenity, character and landscape effects, ecological effects, effects on recreation values, traffic effects, effects on infrastructure and effects relating to land stability and erosion. Each of these matters has been addressed in the following paragraphs.

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

The proposed plan change is seeking to change the zoning of the Site 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 14 residential lots (allowing for the topography of the Site). These lots would be able to comply with the net site area and shape factor requirements of the General Residential Activity Area.

The area subject to the proposed plan change is situated just below the ridgeline on the western side of Stokes Valley. A report has been prepared by Parks and Open Spaces (PAOS) to assess the visual amenity and landscape effects associated with the proposed plan change (Appendix 4 contains a copy of this report).

Within this report, it is considered that the proposed rezoning of the Site would expand the existing urban pattern along Holborn Drive. The proposed plan change would allow for a residential subdivision which reflects the character of the local area where residential properties follow the road along the ridgeline. The provisions of the General Residential Activity Area would enable a density of development that is consistent with the existing residential density in the surrounding Holborn area.

The permitted activity conditions for the General Residential Activity Area would ensure that any dwellings built on the site would be similar in scale (size and height) to the existing development form within the local environment. The permitted activity conditions for buildings in the General Residential Activity Area include a maximum height of 8 metres, minimum yard setbacks and maximum site coverage.

The PAOS report notes that the Site subject to this proposed plan change is not visually prominent as it is located below Holborn Drive. There are only four residential properties that have direct views across the Site (being 152, 153, 154 and 156 Holborn Drive). However, the existing vegetation and the vertical separation between these properties and any dwellings on the area subject to the proposed plan change would reduce the visual effects from future residential development on these properties.

The PAOS report makes several recommendations to ensure that the visual amenity values and natural character of the local environment are maintained by the proposed plan change. These measures include:

- Adjust the plan change boundaries so that the significant vegetation within the southern portion of the Site is excluded.
- Limiting housing to the base of the hillside immediately to the east of Holborn Drive,
- Replanting the top of the hillside to maintain a green edge along Holborn Drive

In relation to the first point, the area subject to the proposed plan change has been altered to ensure that the significant vegetation located within the southern portion of the property is excluded from being rezoned (Appendix 1).

In relation to the second and third mitigation measures identified within the PAOS report, 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 contribute to maintaining 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 earthworks are 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 above either of these thresholds 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 associated with the General Residential Activity Area.

In considering the character, visual amenity and landscape effects associated with rezoning the Site to General Residential Activity Area, it is also recognised that the remaining area of the property will remain zoned General Recreation Activity Area. The retention of vegetation within the remaining area of the property and the vegetation within the adjoining reserves will contribute to maintaining the character and landscape values of the area.

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

## **5.2 Traffic Effects**

The potential traffic related effects of the proposed plan change to rezone the Site to General Residential Activity Area and the resulting residential development have been assessed. A traffic effects assessment has been undertaken for the proposed plan change by Traffic Design Group Ltd (see Appendix 5). This assessment focused on the traffic effects which could result from activities provided for by General Residential Activity Area zoning being undertaken on the Site subject to this proposed plan change, and whether any traffic safety or efficiency effects would arise within the existing traffic environment.

Access to each of the proposed allotments as shown in the indicative development plan (see Appendix 3) could be achieved via a new cul-de-sac off Holborn Drive, at the southern end of the site. Pedestrian access to the proposed subdivision could be formalised via an access leg between proposed Lots 8 and 9 onto an existing path that is located at the northern extent of the Site, as shown on the indicative subdivision plan in Appendix 3.

The traffic assessment was prepared on the premise of this indicative 14 lot subdivision of the Site being undertaken. The traffic report has assessed the potential road design and layout and has found that there are options available for forming a safe intersection between Holborn Drive and the indicative access road. The traffic assessment found that the traffic flows associated with the anticipated level of additional residential activity is expected to remain comfortably within the capacity currently available within the local road network. In addition, the Site would be able to accommodate appropriate road layout, access and street

design so that there would be no internal traffic safety and efficiency effects resulting from the proposed plan change. At the time the Site is developed into residential allotments the provisions of the District Plan and the Code of Practice for Land Development and Subdivision will be applied to the proposed development layout and the carriageway design. These provisions will ensure that the road is of sufficient width and at appropriate gradients to serve future residential allotments.

Overall, it is considered that the traffic effects resulting from the plan change 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 6).

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 and the area used for grazing and subject to regular fire for many decades. However, some small portions of the area, particularly in and around gullies, were protected from such effects and contain remnant primary forest.

Within the report the current vegetation composition on the wider site has been classified into six categories, arranged approximately from oldest to youngest as follows:

- a. Hard beech broadleaved forest
- b. Radiata pine over broadleaved treeland
- c. Mahoe and treefern dominated scrub and low forest
- d. Pine-wattle-gum forest
- e. Gorse-blackberry-mahoe scrub
- f. Grassland

The property is part of a small tract of mainly native bush on the western hills of Stokes Valley. It is in the vicinity, but does not form part of Significant Natural Resource Area Stokes Valley Bush (SNR 50) as it is separated by Holborn Drive and adjoining house lots and recreation areas.

Several other ecological features of the parcel are described within the report. The report identifies that the property is likely to form good habitat for a range of bird species found throughout the Eastern Hutt hills, and is also likely to contain various animal pests. The property does not contain streams or stream habitat, although the gullies at the northern and southern ends would contain small ephemeral streams.

The report identifies the ecological values of the parcel. There are two areas of hard beech forest located at the northern and southern edges of the wider site that are considered to have the greatest level of ecological significance. These areas have been free from disturbance for over 50 years and it is possible that the larger trees are more than 150 years old. The boundaries of the proposed plan change area have been altered to avoid these areas of significant vegetation.

The site subject to the proposed plan change has been assessed to be of relatively low ecological value as it is dominated by introduced species such as Blackberry, Radiata Pine

and Pine-wattle-gum forest. 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 loss of some native vegetation and habits to create allotments and provide infrastructure for the development. A maximum of 3750m<sup>2</sup> of vegetation would be cleared to create the road and allotments and a further 513m<sup>2</sup> would be cleared for the construction of new stormwater and sewer services. The report states that this vegetation is of relatively low ecological value as it is comprised of mostly introduced species and Manuka scrub.

Several other adverse ecological effects are identified in the report. There would 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 minor.

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 should be designed to minimise the amount of vegetation clearance required.
- The boundaries of the proposed plan change area should substantially follow the Lot boundaries indicated on the indicative development plan. The report points out that a revised proposed plan change boundary has been sighted and is considered to achieve the intent of the above recommendation.
- Vegetation along the Holborn Drive frontage should be retained or replanted with species that provide food and habitat for birds.
- Designating building sites or non-clearance parts on some lots.
- Avoidance measures to protect freshwater values at the time of subdivision.

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 objectives, policies, rules and assessment criteria of Chapters 11 and 14I of the District Plan and will be implemented at time of subdivision. On this basis, the ecological report considers that the proposed General Residential Activity Area boundaries, based on the revised 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 zoning would allow for residential development to be undertaken on the Site subject to the proposed plan change. A review of the services within the local area has been undertaken by Cuttriss Consultants Limited, with findings detailed in the report attached in Appendix 7. This report investigates the wastewater, stormwater, water supply, power and telephone services within the area surrounding the Site and the capacity of these services to support further residential development.

This report identifies that there are sufficient wastewater, stormwater, power and telecommunication services in the local area to support a potential subdivision resulting from the proposed plan change.

The report identifies that the Site is situated in the Holborn Water Zone and water supply in this area is provided by a gravity feed from the Kingsley Reservoir. The report recognises that the current water supply for the upper levels of this zone does not meet Hutt City Council

standards during peak summer demand. The report explains that further investigation and analysis would need to be undertaken to confirm whether the additional water supply demand required by the proposed development would have an adverse impact on the existing properties in the upper levels of the Holborn Water Zone.

If, after investigation, it was found that additional water supply demand would have an adverse impact, the report states that a booster pump station could be installed which would provide water supply to Council standards for the entire Holborn Zone. 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 could improve the quality of living throughout Holborn.

Overall, provided a booster pump station is installed for water supply, no other issues were identified with the capacity of existing services and infrastructure in the area and the availability of services to the Site. Accordingly, General Residential Activity Area zoning 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 whether the Site is suitable for residential use. A preliminary geotechnical assessment has been undertaken for the Site by Tonkin & Taylor Limited to determine geotechnical constraints to residential development (See Appendix 8).

The geotechnical investigation comprised of 17 investigation pits over the flat terraced areas and a geomorphic assessment of the property. The report divided the parcel into five areas as shown in Figure 1 of Appendix 8 and explains the site geology and soil profile of the parcel as follows:

- The central flat grassed area (areas A/B and B) comprise of varying thicknesses (0 to 6 metres) of Silty Gravel Fill material over weathered rock. The fill depth is believed to be deepest at the centre of the eastern edge where historical aerial photographs indicate a pre-existing gully has been infilled.
- The southern end (area A) was found to be shallow rock with no overlying fill.
- The bank immediately adjacent to Holborn Drive (area B/C) is thought to be comprised of a layer of sidecast fill overlying weathered rock. The investigation pits indicate a shallow 0.5 metre layer of fill at the base of the slope and it is envisaged that the fill depth may be greater (1.5 metres) at the top of the slope.
- The remaining slopes to the east of the flat terraced areas (area C) are likely to comprise of shallow weathered rock beneath a thin (0 to 0.5 metre) layer of topsoil, fill, colluvium and residual soils.

The geotechnical assessment identifies that due to the differing subsoil conditions across the property, and depending on the area being developed, foundations for future dwellings will need to be designed to suit the underlying soil conditions. This is not uncommon and would be addressed at the time of any future subdivision resource consent application for the Site.

Overall, it is considered that the area subject to the proposed plan change has suitable subsoil conditions for residential development, subject to appropriate remedial solutions. For example, for the flat grassed area, the report recommends that residential development will require removing unsuitable fill and, depending on the location, either importing suitable fill or using driven timber piles. Development of the existing vegetated slope to the east of the Site

would require significant specific geotechnical investigation and slope retention works to allow for residential development.

If 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 cut/fill height of 1.2 metres (Rule 14I 2.1.1). It is likely that the earthworks for the development of the Site would be included within resource consent to subdivide the Site and would therefore be assessed as a Restricted Discretionary Activity. The assessment of an application to subdivide the Site would also involve assessing effects relating to natural hazards, such as erosion and landslip and sediment management and these would need to be appropriately mitigated before consent could be granted.

## **5.6 Recreational Effects**

The recreation values of the Site and the effects of the proposed plan change on these recreation values have been assessed within the PAOS report dated September 2011 (See Appendix 4). The report assessed the impact on informal recreation to be low, using criteria in Hutt City Council's *Reserves Acquisition/Disposal Policy and Guidelines*. This low level has been attributed to the fact the proposed plan change area does not provide access to wider recreational areas, does not attract wide use, is not located in a high density urban area, is not overlooked and has safety issues, and the immediate needs of the local community are largely met by the Holborn Drive Playground directly over the road from the proposed plan change area.

The report states that the prime value of the proposed plan change area is that it provides a flat open space that is sheltered from the prevailing northerly wind. The Site is used informally by people living in the neighbourhood for activities such as; golf practice, ball games, trail bike riding, blackberry picking, children's play and dog exercise. However, the proposed plan change area has a number of disadvantages which mean that it does not attract wider use. The flat grassed area has poor drainage and is in poor condition. There is no passive or active surveillance as the majority of the Site is located well below the level of the Holborn Drive carriageway and is largely hidden by vegetation.

The PAOS report recognises that there are a number of quality open space and reserve areas within local environment which can and are used for informal recreation. The PAOS report lists these areas, three of which are within a 500 metre radius of the Site, including the Holborn Drive Playground immediately across the road from the Site. It is considered that these existing grounds would assist with meeting the recreational needs of the local community and assist with mitigating the effects associated with the proposed plan change.

The PAOS report has made the following two recommendations to offset the recreational effects associated with the proposal.

- The proceeds from the sale of the land should be used to improve the recreational amenity of the Holborn Playground directly opposite the proposed plan change area and this area should be gazetted as reserve.

- Further investigations should be made as to the location of a dog exercise area within the local area.

It should be noted that both of these recommendations are beyond the scope of what can be required as part of the plan change process and therefore little weight can be given to these when considering this proposal. It is also noted that these recommendations are not fundamental in ensuring that the recreational effects associated with the proposal are appropriately mitigated. Rather this report recognises that the Site has low recreational significance and that there are many opportunities available within the local environment for the recreation needs of the community to be met.

The PAOS report concludes that the effects of the proposed plan change on the provision of open space are low. Overall, the PAOS report considers that the rezoning of the subject site to General Residential Activity Area would maintain the recreational values of the area and is an appropriate outcome.

## 5.7 Conclusion

Overall, it is considered that the adverse effects of the proposed plan change can be adequately controlled by rules, objectives and policies in Chapters 4A, 11 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*

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- (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*
- (b) *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 low recreational value (as outlined in the PAOS report) and the proposed plan change does not affect the recreational opportunities available to the community. While the proposed plan change would reduce the total amount of recreational land available, only a small portion of the overall site would be rezoned and the balance of the property would remain zoned General Recreation Activity Area. The potential residential 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 wellbeing of residents and also meet the foreseeable needs of future generations. 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 this portion of the parcel to General Residential Activity Area will result in a development form and a density of housing which is consistent with the residential character that has been established in the local environment. It is considered that the proposed General Residential zoning will maintain the amenity values, landscape values and character of the local environment as the size of the sites is such that existing patterns of development will be maintained. 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 proposal 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.
- The Site is not within an identified Significant Natural Resource and the location and form of development arising from this proposed plan change would be consistent with the existing development pattern of the area.
- The proposal would maintain the extensive band of vegetation down the hillside that separates the ridgeline from the floor of Stokes Valley.
- The majority of the area proposed to be rezoned contains introduced vegetation which has limited 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 proposal is considered to be consistent with Section 7 of the Act for the following reasons:

- The area of land subject to the proposed plan change is not visually prominent when viewed from the local environment and the density of development which could result from the proposed plan change would be at a level which is consistent with the character and visual amenity values already established in the wider environment.

- The Site has low recreational value and as there are a large number of recreational opportunities within the local environment, the proposed plan change does not significantly affect the availability of recreational land to the community.
- The majority of the significant vegetation which is located on the property, 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 future 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 objectives, policies and rules pertaining to the General Residential Activity Area.
- The potential traffic generated from 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 other residential properties in the area.

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

Section 8 of the Resource Management Act requires that the principles of the Treaty of Waitangi be 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 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 sufficiently addressed in the assessment of this proposal.

## **6.2 Regional Policy Statement**

The Regional Policy Statement for the Wellington Region 1995 (RPS) sets out the regional direction for resource management in the district. The Act requires that Territorial Authorities in the writing of their district plans are consistent 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) outlined above.

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 associated with the General Residential Activity Area (which sets maximum limits on the area 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 introduced species, which have limited ecological value.

The RPS seeks that regional recreational amenity values are maintained and enhanced. The area subject to the proposed plan change has limited recreational value and does not provide regionally significant recreational opportunities due to its small size, the lack of passive surveillance and ground conditions. The majority of the Site is not readily usable to local residents due to the poor drainage, therefore any loss in recreation value arising from the proposal is considered to be limited. It is also noted that only part of the overall area would be subject to the proposed plan change. The balance of the property would remain within the General Recreational Activity Area and could still provide for future recreation activities should tracks and trails be developed across the Site.

The site subject to the proposed plan change is not visually prominent from the surrounding area. 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 Holborn Drive from the floor of Stokes Valley. On this basis the proposed plan change is considered to be consistent with the objectives and policies of the RPS relating to landscape values.

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 area which is subject to this proposed plan change is situated within a residential area and can be serviced, with the exception of water supply, by extending 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 existing transport links and the local roading network is able to accommodate the additional traffic likely to be 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 plan change is consistent with the objectives and policies of the operative 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. Although the document is currently under appeal and the weight that can be given to it is limited, an assessment has been undertaken against the relevant provisions.

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 4

*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 RPS.

The proposed plan change area is not within an identified Significant Natural Resource. The ecological assessment carried out for the proposed plan change has identified that the majority of the vegetation within the site proposed to be rezoned is of low ecological significance. While small sections of the area subject to the proposed plan change is located in close proximity to vegetation which is considered to be of higher ecological significance, the ecological report considers that the existing rules of the District Plan associated with the General Residential Area 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 property, the remainder of which would be preserved in its current state (and zoning) thereby maintaining the habitats and ecosystems within the area.

The location and form of development enabled by this proposed plan change would be consistent with the existing development pattern within the local environment. Due to the topography of the Site, any future dwellings would be able to be viewed from a distance and would be consistent in size and scale as the existing development form of the local environment. 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 the 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 this site for residential purposes would be an efficient use of the land resource.

As part of this proposed plan change an indicative development layout has been designed to show the potential development of the Site under the General Residential Activity Area provisions. The layout closely follows the design parameters laid out in the District Plan and as a result the layout is similar in form to the existing character of residential development in the wider area. The final design and layout may be altered at the time resource consent is applied for; however, the final design is anticipated to achieve similar outcomes as the indicative development.

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

## **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 sought through 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 any 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 and policies which the District Plan seeks to achieve. The area wide objectives and policies 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.*

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 for residential purposes 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 a small portion of the site subject to the proposed plan change 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 zoned General Residential Activity Area. It is therefore considered that General Residential Activity Area zoning is appropriate for the topography of the Site, and it is also consistent with the zoning of other properties within wider Lower Hutt which have similar attributes. The proposed General Residential Area zoning is also consistent with the zoning of other properties along Holborn Drive.

It is also recognised that the Site is located within 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 Site is located close to main transport links and the local roading network has been assessed as being able to accommodate the additional traffic flow which is likely to result from future development of the Site into residential properties. Given these factors, it is considered appropriate to apply General Residential Activity Area zoning to the site subject to this proposed plan change 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 leaving it available to be developed for tracks and trails in the future. It is also noted that other recreational opportunities are available within the local environment

(such as Holborn Drive Playground, immediately across the road from the Site) 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 proposed plan change has been assessed by an ecologist who considers that any potential ecological effects associated with the proposed plan change can be mitigated when the detailed design for the subdivision is undertaken. As part of the preparation of the proposed plan change the recommendations of the ecologist were taken on board in relation to the steeply cut gully located at the southern extent of the proposed plan change site. As a result of the recommendations the gully has been removed from the proposed plan change area and the proposed boundary amended to follow the curve of the indicative road design. Sufficient distance has been provided for to allow minor changes to the location of the road without detriment to the gully. 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 a future subdivision enabled by the proposed plan change can be 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 realised. 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 and the General Recreation Activity Area 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 Objectives and Policies**

#### **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 manoeuvres.*

#### **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.*

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 property 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.

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 on 24 March 2009 regarding possible disposal of reserve land.
- 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, 11 specifically related to the disposal of the 151 Holborn Drive site. All 11 of these submissions opposed the disposal of this site for the following reasons:

- Traffic effects
- Ecological effects, including a loss of habitat, vegetation, green belt 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.

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 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
- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
- Tenths Trust
- The Port Nicholson Block Settlement Trust
- The Palmerston North Maori Reserve Trust

The parties which responded to the consultation had no concerns regarding 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 a portion of the property at 151 Holborn Drive (adjacent to 158 Holborn Drive) from General Recreation Activity Area to General Residential Activity Area. The General Residential Activity Area is the most common residential zone within the city 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 located on the valley floor, 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 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 Site subject to this proposed plan change as Hill Residential Activity Area;
- Zone Site subject to this proposed plan change as General Residential Activity Area - Medium Density;

As noted previously, the Council's decision to consider selling 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 costs 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 existing character of the subject property is maintained;</li> <li>• The existing low value vegetation on site will develop into significant forest over time with positive ecological effects ;</li> <li>• The recreation activities currently undertaken on the site can continue unchanged;</li> </ul> <p><u>Costs</u></p> <ul style="list-style-type: none"> <li>• The Site subject to this proposed plan change is deemed to be 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 potential water upgrade.</li> </ul>
<p><b>Option 2:</b> Zone the Site as General Residential Activity Area.</p> <p><u>RECOMMENDED</u></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 would result in an efficient and effective utilisation of the resource;</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 potentially improve as a result of a water upgrade which could be required 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 zoned land for 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><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,</li> </ul>

<p><b><u>NOT RECOMMENDED</u></b></p>	<p>thereby containing urban development;</p> <ul style="list-style-type: none"> <li>• Increased revenue from an increase in the number of properties paying rates;</li> <li>• The water supply to the existing residential properties would potentially improve as a result of a water upgrade which could be required 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 zoned land from the Holborn community;</li> <li>• Development on Site would not reflect the character of residential development in the immediate vicinity;</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><b><u>NOT RECOMMENDED</u></b></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> <li>• The water supply to the existing residential properties would potentially improve as a result of a water upgrade which could be required 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 zoned 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>

## 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 151 Holborn Drive, currently managed as a bush reserve, was no longer required for this purpose. This proposed plan change is seeking to rezone the western portion of the property from General Recreation Activity Area to General Residential Activity Area.

The evaluation of the proposed plan change has included an assessment of effects on the environment from rezoning the Site to General Residential Activity Area and the subsequent residential development that will be enabled by the change in zoning. The proposed General Residential Activity Area zoning is considered to be consistent with the character of the existing residential properties in the immediate vicinity 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 planning documents. The proposed rezoning of the Site to General Residential Activity Area and the rules associated with the zoning 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 General Residential Activity Area provisions 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
- Appendix 4:** Assessment of Effects on Landscape and Visual Amenity by PAOS Ltd.
- Appendix 5:** Transportation Assessment by Traffic Design Group
- Appendix 6:** Ecological Assessment by Dr Paul Blaschke
- Appendix 7:** Analysis of Services by Cuttriss Consultants
- Appendix 8:** 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**

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**Appendix 4: Assessment of Effects on Landscape and Visual Amenity  
by PAOS Ltd.**

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**Appendix 5: Transportation Assessment by Traffic Design Group**

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**Appendix 6: Ecological Assessment by Dr Paul Blaschke**

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**Appendix 7: Analysis of Services by Cuttriss Consultants**

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**Appendix 8: Preliminary Geotechnical Suitability Assessment by Tonkin  
& Taylor Ltd**

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**Part 5: Copy of Submission Form**

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