

Proposed District Plan Change 20

**60 EASTERN HUTT ROAD, WINGATE,
REZONING OF PART OF THE SITE AS GENERAL BUSINESS
ACTIVITY AREA**

**Publicly Notified:
Submissions Close:**

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

Part 1: Introduction

1. What is Proposed Plan Change 20?

The purpose of Proposed Plan Change 20 is to rezone a part of the Hutt City Council (Council) owned parcel of land at 60 Eastern Hutt Road, Wingate as General Business Activity Area in the City of Lower Hutt District Plan (District Plan). The site is situated on the eastern side of Eastern Hutt Road. The area subject to the Plan Change covers an area of 1.1 ha on the western side of a 69ha block of land. A plan of the site is attached at Part 4 - Appendix 1.

The site is part of a fee simple title owned by Council and legally described as Lot 3 DP 83794 (Certificate of Title WN50D/743).

The operative District Plan Map F3 is attached at Part 4 - Appendix 2.

2. Reasons for Proposed Plan Change 20

Since 2007 Council has been undertaking a review of all the land it holds in fee simple throughout the City. The objective is to ensure all Council owned land 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.

This site was included in the review as it was no longer required for the purpose it was acquired for passive recreation Area. The initial assessment deemed the land to have low open space/recreation potential and a further assessment of its development potential concluded it could be developed for business purposes under the provisions of the District Plan for the General Business Activity Area. Consultation under the Local Government Act followed.

It is the intent of Council to declare the land surplus (to be used for business development) subject to the outcome of this proposed plan change process. In order for the land to be used for business purposes it is first necessary to rezone the land as part of the General Business Activity Area.

3. Structure of this document

This document contains five parts:

Part 1	is this introduction
Part 2	contains a copy of the public notice of Proposed Plan Change 20 which was advertised in the Hutt News on 12 April 2011
Part 3	shows the amendment proposed to the District Plan Map F3
Part 4	is a copy of the <i>Section 32 Evaluation</i> prepared for Proposed Plan Change 20, as required by section 74 of the Resource Management Act 1991
Part 5	contains a copy of a submission form (Form 5)

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

4. The Process of Proposed Plan Change 20

The process for preparing Proposed Plan Change 20 to date can be summarised as:

March – May 2009	Consultation with relevant parties
March 2009	Need for Plan Change identified
May 2009	Council approval to prepare Proposed Plan Change
February 2011	Proposed Plan Change adopted by Council’s District Plan Sub-Committee for public notification
March 2011	Proposed Plan Change adopted by Council for public notification
April 2011	Proposed Plan Change notified

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

- After the closing date for submissions, Council must prepare a summary of the submissions and this summary must be publicly notified;
- There must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made;
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held;
- 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.

PUBLIC NOTICE

Public Notification of Proposed District Plan Change 20 to the City of Lower Hutt District Plan

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

Hutt City Council has prepared:

Proposed District Plan Change 20 – 60 Eastern Hutt Road, Wingate Rezoning of a Part of the Site as General Business Activity Area

Proposed Plan Change 20 proposes to rezone a part of the parcel of Council owned land at 60 Eastern Hutt Road, Wingate (Lot 3 DP 83794, Certificate of Title WN50D/743) as General Business Activity Area. At present the land is zoned Passive Recreation Activity Area. The proposed plan change will enable subdivision and development of a part of the site for general business activity to the extent provided for by the General Business Activity Area provisions of the District Plan. The remaining part of the site will be retained as Passive Recreation Activity Area.

Documentation for Proposed Plan Change 20 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/District-Plan-change-20/>

Copies can also be requested by contacting Hutt City Council:

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

If you have any questions please contact Corinna Tessendorf on phone 04 560 1043 or email: Corinna.Tessendorf@huttcity.govt.nz

Submissions close on FRIDAY 13 MAY 2011 at 5.00pm

Any person may make a submission on Proposed Plan Change 20. You may do so by sending a written submission to Council:

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

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

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

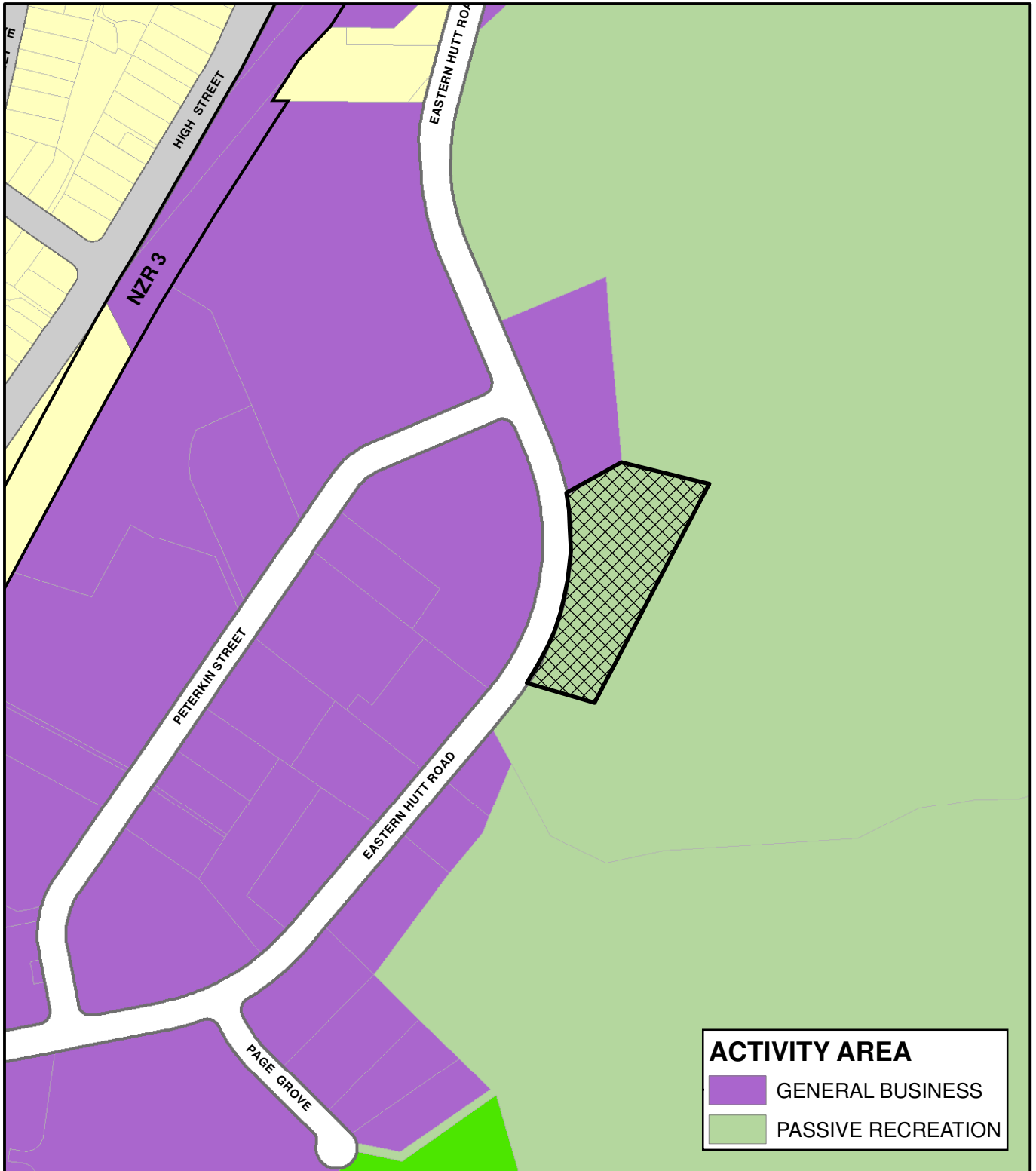
- after the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified; and
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made; and

- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- Hutt City Council must give its decision on the proposal (including its reasons for accepting or rejecting submissions); and
- any person who has made a submission has the right to appeal the decisions on the proposal to the Environment Court.

Tony Stallinger
Chief Executive

12 April 2011

Part 3:
Proposed Plan Change 20
Amendment to District Plan Map F3



Proposed Plan Change 20
 60 Eastern Hutt Road, Taita (Pt Lot 3 DP 83794)

 Area to be rezoned from Passive Recreation Activity Area to General Business Activity Area.

Planning Map F3



District Plan - City of Lower Hutt



Scale 1:4000

1. INTRODUCTION

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

An evaluation must examine:

- a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

An evaluation must also take into account:

- a) the benefits and costs of policies, rules, or other methods; and*
- c) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

The person required to carry out an evaluation must prepare a report summarising the evaluation and giving reasons for that evaluation.

The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

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

This section 32 report focuses on the appropriateness of the proposal to zone a Council owned property in the City of Lower Hutt District Plan (District Plan). It does not address the issue of the sale of publicly owned land, as this is not a relevant matter for consideration under the Act.

Description of the Site:

Proposed Plan Change 20 would rezone approximately 1.1ha of land owned by Hutt City Council (Council) at 60 Eastern Hutt Road as General Business Activity Area in the District Plan. The land is currently zoned Passive Recreation Activity Area. It is vacant and is situated on the eastern side of Eastern Hutt Road, Wingate. A plan of the property is attached at Appendix A.

The area proposed to be rezoned (herein referred to as 'the Site') is an unsurveyed piece of land, approximately 1.1ha in size. The Site is wholly contained within Lot 3 DP 83794 (Certificate of Title WN50D/743 (Title)), which is 69ha in size. Plans of the Site are attached at Appendix 1.

The Site is only a small portion of the overall Title, and is the only area within the Title considered suitable for business development.

The operative District Plan Map F3 is attached at Appendix 2.

2. HISTORY

The Title (which includes the Site) is held in fee simple and was purchased by Council in 1998 from The Institute of Geological and Nuclear Sciences. At the time of purchase Council had the land classified as recreation reserve under the Reserves Act 1977.

While the reserve classification covers all the land in the Title, Council now has the consent (subject to survey of the site) of the Department of Conservation to revoke the reserve status over the area proposed to be rezoned General Business Activity Area i.e. over the Site. This consent will be actioned (i.e. the reserve status will be formally revoked), if and when this Plan Change is approved. The balance of the land in the Title will remain classified as recreation reserve (Council Minute C090316 (2), 1 September 2009 refers).

3. BACKGROUND

Since 2007 Council has been undertaking a review of the land it owns and manages as reserve throughout the City. The objective is to ensure all Council owned land held and managed as reserve is being used for its best purpose. In a few cases, such as is the case with this Site, Council has reviewed some areas of classified reserve, with the same objective. 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. A Council sub-committee then considers these reports and makes a recommendation on the future of each site – to classify the site as a reserve under the Reserves Act, to consider releasing it for sale or to retain the status quo. The recommendation is publicly notified, as required under the Local Government Act (and the Reserves Act as applicable), and submissions called for from the public. After consideration of these submissions the Council makes a resolution on the future of the site. The Site on Eastern Hutt Road is one such land holding.

The review of the Site has concluded that the Site makes no significant contribution to the Council's reserves network and should be sold, with the proceeds used for the improvement, development or purchase of other reserves in the District. However, in order for that to occur, the Site needs to be rezoned as General Business Activity Area to fit with the surrounding General Business Activity Area, and to allow development appropriate to that zone to occur.

The Site has a recreation reserve classification under the Reserves Act 1977. Council therefore proposed to the Minister of Conservation that the reserve status of the Site be revoked (Council Minute No. C 090316(2), 1 September 2009). Under delegated authority, the Department of Conservation consented to the revocation proposal (subject only to survey of the Site).

Council itself has no development plans for the Site. The Site is proposed to be sold for development by any future owners if the Plan Change is adopted and Council declares the Site surplus. Therefore, no future development is being applied for in this Plan Change process, but such development would be required to fit within the parameters of the District Plan for the General Business Activity Area.

4 DESCRIPTION OF THE LAND

The Site is currently vacant and is situated on the eastern side of Eastern Hutt Road.

The land is owned by Council in fee simple. While the area proposed to be rezoned is only a small portion of the overall area of the Title, it is the only part considered suitable for a business development zoning.

The Site is situated at the base of two gullies and generally slopes from east to west. The land was previously used for pasture, but is now in grass and the early stages of native forest re-vegetation. The land in the same Title but behind the Site slopes more steeply up to a ridgeline. Two small streams run down from the ridgeline into the two gullies. The streams are channelled into culverts at their base, and pass under Eastern Hutt Road.

The area surrounding the Site is a mix of General Business Activity Area and Passive Recreation Activity Area. The land to the east, south and further north of the Site (within the same Title) forms part of the eastern Hutt hills and is covered with pines and regenerating native vegetation. This land is zoned Passive Recreation Activity Area. Land beyond the Site and to the immediate north, west and further south contains business/industrial premises and is zoned General Business Activity Area.

Over the last five years Hutt City Council has invested approximately \$600,000 into upgrading and revitalising the Wingate industrial area. In that time the demand for industrial plots in the area has increased markedly. Hutt City Council continues to receive a high level of interest from businesses about relocation opportunities to the Wingate area.

As an industrial area Wingate is well located with good access North via SH 58 and to Wellington via SH2. In the past its situation next to the Wairarapa railway line has been utilised by businesses. It is serviced by train and bus public transport with a dispersed workforce from throughout the Hutt Valley and beyond. Businesses in the area enjoy a good level of infrastructure and services on which to operate.

There continues to be further demand for land and established properties in the area as evidenced by the announced relocation of several significant Hutt City businesses to the area in January 2010. Calvert plastics are to move from Stokes Valley to take up a larger space in the former Dux industries site and Seymour's are to move from Petone to a purpose built facility on the former Telecom site. The Telecom site which Seymour's is to move to is the last significant undeveloped site in the area. The proposed plan change to make available addition land parcels in the area would be of benefit to the local economy and address a high level of demand for industrial land in the city.

The legal description of the Site is provided above.

5 ENVIRONMENTAL EFFECTS

It is considered that the Proposed Plan Change will not have any significant adverse effects on the environment.

The Site is located immediately adjacent to a large existing General Business Activity Area – a zone that accommodates commercial and industrial activities. The Sites proposed zoning reflects the surrounding land uses as an extension to the adjacent General Business Activity

Area. The proposed zoning is an efficient use of the existing utilities and roading infrastructure.

Once the Site is zoned General Business Activity Area the resultant site development parameters will be no different to those of the neighbouring General Business Activity Area. All use of the Site would be subject to the rules set out in the Plan.

Landscape and Visual Amenity Value:

Council obtained an assessment of reserve values of the Site from Council's consultant's Parks and Open Spaces Ltd (attached at Appendix 3). This assessment concludes that the Site has low-medium landscape values, and the overall conclusion of the assessment is that the disposal of the Site will not have a significant impact on the provision of parks and reserves in the eastern hills.

The assessment notes that the Site provides some coherence with the open space area to the east and south, but is only visible from the surrounding industrial properties. Any commercial development on the Site would mirror areas immediately to the north and south of the Site on the same side of Eastern Hutt Road, where bush-clad hills form a backdrop to commercial buildings.

The assessment states that the Site has a low level of visual significance, being viewed only from Eastern Hutt Road near Peterkin Street, and from surrounding industrial properties on Eastern Hutt Road, and that the Site does not contribute to the scenic backdrop formed by the eastern hills, due to its low visual prominence. The area of the Site is small (1.1ha) in relation to the huge expanse of Passive Recreation Activity Area within which it sits, extending from Wingate right across to Stokes Valley.

The assessment concludes that provided building heights do not extend above the 35 metre contour (which is approximately equal to the existing ground level along the eastern boundary of the Site) any future development of the Site would not have a significant visual impact due to the low visibility of the Site from other areas.

A building in the General Business Activity Area may have a height of up to 12m as a Permitted Activity. The 20m contour runs approximately along the western (front) boundary of the Site, and grades up to the 35m contour that runs approximately along the eastern (rear) boundary of the Site. The most obvious and easiest place to build on the Site is adjacent to its frontage, where the land is flattest. It is therefore unlikely that future building/s on the Site would breach the Permitted Activity height standards of the District Plan. If a future owner of the site did want to do so, the proposal would be a fully Discretionary Activity under rule 6A 2.4 of the District Plan and Council could consider any resource management matters in its consideration of the application for resource consent, including any effect on visual values.

The effect of the proposal on landscape values is considered to be less than minor.

Ecological Value:

An Ecological Assessment is has been prepared by Paul Blaschke (Blaschke and Rutherford Environmental and Ecology Consultants). The full ecological assessment has been attached to this report as Appendix 6.

The site is situated at the base of two gullies and generally slopes from east to west. Two small streams run down from the ridgeline into the two gullies in the site. The vegetation n the site is described as a mixture of introduced grassland, regenerating native scrub and shrubland. The ecological assessment concludes that currently the site has very low vegetation values, with the exception of the riparian vegetation associated with both stream sections. Because of the very small area of the site and the fact that it lies largely surrounded by native bush the connectivity value in providing ecological connectivity is low.

In contrast to the vegetation the ecological assessment notes that the stream sections “*are probably ecologically significant*” for a number of reasons. To address this issue of ecological significance of stream sections a more detailed investigation of these values has been initiated and will become part of the plan change decision making process.

Recreational and Open Space Value:

Recreational use of the Site is extremely limited. The assessment attached as Appendix 3 concludes that the Site has low-medium open space value and does not contribute significantly to the reserve network in the Hutt Valley Landscape Identity Area (as identified in Hutt City Council’s Reserve Strategic Directions).

The assessment states that there is limited opportunity for the development of the Site for recreation purposes, due to the sloping and vegetated nature of the Site. The Site could be levelled by fill for recreational purposes, but this would not be cost-effective or efficient, given that it is surrounded by industrial development and is fairly isolated from residential areas.

Open space needs are catered for in nearby areas. These include Naenae Park, Fraser Park and Taita College for organised sports and formal recreation. The Hutt River Trail and walking tracks running from Taita Cemetery along the ridgeline behind the Site to Stokes Valley provide informal recreation opportunities.

The effect of the Proposed Plan Change on recreation and open space values is less than minor.

Geotechnical:

A preliminary geotechnical suitability assessment of the Site was undertaken by Tonkin & Taylor Ltd on behalf of Hutt City Council. That assessment is provided as Appendix 4. It concludes that with further (site specific) investigation, design and construction control, and subject to some remedial work as outlined in that assessment, the Site can be suitably developed for use in the General Business Activity Area. Figure 5 of that assessment illustrates the areas of the Site available for development, and the areas of the Site where remedial works or “no build” zones are recommended.

The recommendations made as a result of the preliminary geotechnical assessment do not necessarily result in specific District Plan provisions but can more appropriately be managed as part of the land sale and resource consent/subdivision process.

Infrastructure:

There is existing infrastructure in this locality that provides stormwater, wastewater and water supply services.

There is an existing 100mm diameter fire main that passes across the frontage to the Site, on the opposite side of Eastern Hutt Road. As a minimum a new service to this fire main would need to be laid across the road to service the Site.

There are two public sewer mains in the area, one of which would need to be extended to service the Site. No constraints are envisaged with this.

The public stormwater system services the Site. While the capacity of the system has not been fully analysed, there are reported flooding issues downstream of the Site. Any use of the Site is likely to require the detention of stormwater on the Site (so that runoff from any future development is not greater than existing). The existing stormwater system will need to be extended into the Site to pipe open watercourses and facilitate any future development.

An adequate level of service for electricity and telecommunications is readily available for extension into the Site.

Vehicle access to the Site would be directly from Eastern Hutt Road, from where satisfactory site lines are available. The remainder of the land in the Title will still have a large frontage to Eastern Hutt Road.

Eastern Hutt Road at this point carries around 9,000 vehicles per day, which is a level unlikely to present any traffic issues. Access/egress to and from the site for any development would be subject to the provisions of the General Business Activity Area.

Residential and Urban Amenity:

The Site sits adjacent to a large area of developed land zoned General Business Activity Area in the District Plan. Once the Site is rezoned the resultant site development parameters will be no different to those of the surrounding similarly zoned land as the rules for the General Business Activity Area will allow for commercial and industrial development on the Site.

The change of zoning will not have any significant adverse effects on the amenity of the area. The Site is only visible from its immediate surrounds, and development of the site would not adversely affect the amenity of the Eastern Hills. The Site is over 350m away from the nearest residential area, being on the opposite side of the railway line.

The plan change will provide the proposed site with the same zoning as the surrounding business area and Council-owned land with scrub and bush cover, zoned Passive Recreation Activity Area will still surround the site on its eastern and southern sides.

Traffic

An assessment of the traffic implications of the proposed plan change has been prepared by Barclay Traffic Planning and is attached as Appendix 5 to this report.

Eastern Hutt Road is currently classified as Major Distributer Road in the District Plan roading hierarchy, the predominant function being to carry through traffic. There is a footpath on the western side but not on the east.

The assessment finds that if proposed Plan Change 20 becomes operative a very wide range of activities and development types will be permitted including manufacturing, storage, warehousing, and vehicle sales and service as well as commercial recreation and conference facilities.

Access:

The assessment finds that the requirement for safe access is particularly important in view of the site's location on a busy road with Major District Distributer hierarchy status. One concern raised by the assessment is that controls on width and number of accesses under the relevant District plan rule only apply if the vehicle crossings cross a footpath. As there currently is no footpath along the site frontage these controls could not be enforced. It is therefore recommended that Hutt City Council construct a footpath along the frontage of the site prior to selling the land. Hutt City Council's Road and Traffic Division has confirmed that a footpath can be provided if required.

Parking:

The assessment considers that the parking requirements of the District Plan for industrial activities will be generally sufficient to cover the demand. However this may not be the case for some non-industrial uses such as offices or places of assembly. The assessment concludes that despite the road's high hierarchy status it should be possible to manage the potential on-street parking in a way which maintains safety and efficiency.

Loading and Unloading:

The report finds that the subject site is of sufficient size to meet the loading and unloading requirements of the District Plan and that some subdivision could also be considered.

Effects on road network and road safety:

It is expected that satisfactory access can be established without difficulty, that additional traffic will be readily absorbed into the Arterial network and that with careful design of access points development of the land should not unduly effect safety.

Overall the assessment comes to the conclusion that the provisions of the District Plan will ensure satisfactory control of access, parking, servicing and network effects with no more than minor effect on road safety and efficiency.

6 POLICY ANALYSIS

6.1 Resource Management Act 1991

Proposed Plan Change 20 is considered to be in keeping with the purpose of the Act, in that it provides for the promotion of the sustainable management of natural and physical resources. There are not considered to be any section 6 matters of national importance applicable to the Proposed Plan Change. Four of the other matters that s7 directs Council to

have particular regard to in achieving the purpose of the Act, are considered to be of particular relevance. These are:

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

7(c) The maintenance and enhancement of amenity values

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

The Proposed Plan Change is considered to be an efficient use of the land resource that exists within the urban boundaries of the City of Lower Hutt. The Site is at present not being put to an efficient use – as outlined earlier in this document, it is not appropriate to develop for recreational use and provides very little contribution to the open space network. The application of the General Business Activity Area rules to the Site will maintain the amenity values of the surrounding properties, and will maintain the quality of the environment. The Proposed Plan Change allows for the sustainable management of natural and physical resources.

With respect to s8, the principles of the Treaty of Waitangi have been taken into account. Local iwi were consulted on this matter early in the land review process.

6.2 Regional Policy Statement for the Wellington Region (Operative)

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

The Regional Policy Statement 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 Built Environment and Transportation chapter of the RPS is considered to be most relevant to the Proposed Plan Change. The most relevant objectives and policies from that chapter are considered to be:

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.*

The proposal is considered to give effect to the RPS. The Site is adjacent to a General Business Activity Area within the existing urban boundaries of the Lower Hutt District. Therefore its use for General Business purposes is an efficient use of the Site and of the infrastructure that already services the area. The location and nature of the Site (including its low landscape, open space, natural and recreational values) is such that General Business activities could occur on the Site without adversely affecting urban amenity or environmental quality.

The amenity values and the environmental quality of this wider area are principally those of an industrial area on the urban fringe. The small reduction in the Passive Recreation Activity Area that the Proposed Plan Change will bring about will have no significant effect overall on the qualities and condition of the Passive Recreation Activity Area. The immediate effect will be a change in the Site specific conditions occasioned by any development than takes place, but that will not be significant overall.

6.3 Proposed Greater Wellington Regional Policy Statement

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

The Chapter of most relevance to this Proposed Plan Change is *Chapter 3.9 Regional form, design and function*.

The objective of this chapter (Objective 21) seeks *a compact, well designed and sustainable regional form that has an integrated, safe and responsive transport network and: ... (d) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form; (e) strategically planned rural development; (g) integrated public open spaces; (h) integrated land use and transportation ...and (j) efficient use of existing infrastructure (including transport network infrastructure).*

The Proposed Plan Change is considered to give effect to the Proposed RPS. The Proposed Plan Change retains a compact urban form and is an efficient use of existing infrastructure, including existing utilities and roads.

6.4 The Wellington Regional Strategy

The Wellington Regional Strategy (WRS) is a sustainable growth strategy that has been developed by greater Wellington's nine local authorities, in conjunction with central government, and the region's business, education, research and voluntary sector interests.

The WRS lists three focus areas for sustainable growth – leadership and partnerships, growth of the region’s economy and good regional form.

The Proposed Plan Change is consistent with the WRS, and in particular with the focus areas of growth and good regional form. The Plan Change would provide additional land for commercial/industrial use, which contributes to regional economic growth. The land proposed to be rezoned is within an existing urban area, and has transport connections to Lower Hutt City. This contributes to good regional form.

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 covers a small pocket of land well within the boundaries of the City of Lower Hutt. It will have no effect on the plans or proposed plans of adjacent territorial authorities and will not be inconsistent with them.

6.6 Other Strategies and Plans

The Hutt City Council has a number of 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
- Bush Reserves Management Plan

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

6.7 Area Wide Objectives of the District Plan

The rezoning of this Site on Eastern Hutt Road as General Business Activity Area is considered to be in keeping with the Area Wide Objectives at Chapter 1.10 of the District Plan.

The most relevant of the Area Wide Objectives are considered to be:

Objective 1.10.2 Amenity Values	<i>To identify, maintain and enhance the character and amenity values of the different activity areas.</i>
Objective 1.10.6 Recreation and Open Space	<i>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.</i>

Objective 1.10.7
Rural Activity *To protect and enhance the rural character, landscape and amenity values of the rural activity area.*

Objective 1.10.11
Lessening Natural
Hazards *To avoid or mitigate the vulnerability and risk of people and development to natural hazards.*

The Proposed Plan Change is considered to be the most appropriate option for achieving these objectives. In keeping with objective 1.10.2, it will accommodate for growth of the business zone within the existing urban boundaries, whilst maintaining the character and amenity values of the surrounding General Business Activity Area and the Passive Recreation Activity Area. It is not proposed to change any objectives or policies in the District Plan. The current objectives and policies remain relevant and are considered the most appropriate means of achieving the purpose of the Act in relation to management of the effects of development throughout the city, and in particular within the Business Activity Areas.

The Proposed Plan Change proposes a zoning over the Site that has already established and tested rules applicable to it, and that mirrors the surrounding land which is already used for business purposes, without adversely affecting the enjoyment of that land.

While the Site could remain as Passive Recreation, the change of zone of this small part of all the land within the Title is not considered to have any significant adverse effects, and for the following reasons is considered to be in keeping with the Area-Wide Objectives of the District Plan, including Objective 1.10.6:

- The Site has no formal recreational use and very infrequent informal use for passive and casual recreation. The Site is not amenable to formal recreational use given the sloping and scrubby nature of the Site.
- The open space and recreation needs of the community will continue to be met by other available recreation areas within a short distance, including sports ground facilities at Naenae Park, Fraser Park and Taita College, and the Hutt River Walking Trail along the ridgeline behind the Site.
- The proceeds of the sale of the land will go toward the improvement, development or purchase of other reserves within the district.
- The vast majority of the 69ha Title will retain its Passive Recreation Activity Area zoning, with only approximately 1.1ha being removed from that zoning. Therefore the visual and amenity benefits created by the large expanse of open space that the Site is contained within, will remain.

It is considered therefore, that the alternative option of leaving the land zoned Passive Recreation Activity Area is not necessary for the achievement of objective 1.10.6 and that the Proposed Plan Change provides a more efficient and effective means of achieving all of the Area-Wide Objectives.

6.8 General Business Activity Area Objectives

The Proposed Plan Change is also considered to be in keeping with the objectives specific to the General Business Activity Area, and therefore the objectives sought for the surrounding business properties. Those of most relevance are:

Objective 6A 1.1.1 Accommodation of a Mix of Activities *To accommodate those non-industrial activities which are suitable in the General Business Activity Area and which do not cause adverse effects on the amenity values of the area and the receiving environment.*

Objective 6A 1.1.3 Environmental Effects *To avoid or mitigate adverse effects on the amenity values of the area and neighbouring areas, and the receiving environment.*

Objective 6A 1.2.1 Effects on the Amenity Values of the Area *To maintain and enhance the amenity values of the activity area and neighbouring areas.*

The Proposed Plan Change is considered to be an efficient and effective option for achieving these objectives. No deviation to the District Plan rules for the General Business Activity Area is sought and the amenity values and character of adjacent business sites will be maintained.

6.9 Passive Recreation Activity Area Objectives

The Objectives for the Passive Recreation Activity Area are:

Objective 7D 1.1.1 High Amenity and Conservation Areas *To recognise and protect those parts of the City with high conservation and amenity values.*

Objective 7D 1.2.1 Control on Buildings and Structures *To ensure buildings and structures have adverse effects which are no more than minor on conservation and amenity values.*

The Proposed Plan Change will not be contrary to the Objectives for the Passive Recreation Activity Area. The 1.1ha Site the subject of the application does not hold high conservation or amenity values, and its removal from the large Passive Recreation Activity Area within which it currently sits will not restrict or affect the conservation and amenity values of that area.

6.10 Consultation

Consultation with local groups and organisations, residents and others who may be affected by any decision to develop the site has been undertaken. This is in addition to statutory processes required under the Act. These groups and organisations included Port Nicholson Block Claims Trust, Wellington Tenth's Trust, Greater Wellington Regional Council, Department of Conservation and the Royal Forest & Bird Protection Society of New Zealand (Lower Hutt).

In accordance with the provisions of the Reserves Act 1977 for considering the revocation of classified reserve land, formal consultation was carried out over the period 24 March 2009 to 5 May 2009. This included the following actions:

- Formal advertisement in the Hutt News on 24 March 2009 regarding possible disposal or part-disposal of reserve property.
- Article on the proposal for possible disposal published in the Hutt Views on 7 April 2009.
- Letters and reports sent to nine organisations identified as having a possible interest in the proposal, including those mentioned above.
- Information posted on Council's website.

Only one written submission was received on the proposal, from Mr Grant Roberts. Mr Roberts objected to the proposal to revoke the reserve status of the site. Mr Roberts submitted that: the site is an integral part of the larger reserve area held in the Title and that revocation would result in a loss of wildlife habitat, restrict access to the reserve, entail a visual intrusion of buildings, cause loss of views and would result in a loss of reserve development potential.

Council considered the reasons given by Mr Roberts in support of his submission had some validity, but should be viewed in the context of the overall size of the reserve held in the Title and the scale of impact of the proposal. Therefore, for the reasons outlined in sections 5, 6 and 7 of this section 32 Evaluation, the proposed rezoning of this small 1.1ha parcel was considered appropriate.

Consultation in accordance with the First Schedule of the RMA 1991

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

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

7 EVALUATION OF OPTIONS

7.1 Alternatives

This Proposed Plan Change seeks to change the District Plan by zoning of the Site as General Business Activity Area. The existing General Business Activity Area covers a large proportion of the City's business areas. While the character and amenity of this zone varies across locations, it is generally characterised by a low-scale built environment, a variety of land uses, signage, busy street environments with kerbside parking and frequent vehicle movements, and proximity to residential activity areas. General Business Activity Areas tend to have different character during the week than at weekends, where the areas are often devoid of activity and people.

Two principal options have been explored in the preparation of this Proposed Plan Change and are discussed below. They are:

- Status Quo i.e. leave the Site zoned Passive Recreation Activity Area
- Zone the Site General Business Activity Area

As noted previously, the Council’s decision to sell publicly owned land is not a relevant matter for consideration in terms of the Resource Management Act 1991 or the assessment undertaken in accordance with section 32 of the Act. Accordingly, the specific zoning options considered below are based on the premise that the Council has proposed to the Minister of Conservation that the recreation reserve classification which currently applies to the Site be revoked and the Site will be sold, as resolved by the Council in its decision dated 1 September 2009, and noting that the Department of Conservation has consented to this proposal (subject only to survey of the site):

RESOLVED: **Minute No. C 090316(2)**

“That Council...

(ii) in respect of that part of the property at 60 Eastern Hutt Road (Lot 3 DP 83794) identified in the revocation proposal that, in terms of s24 of the Reserves Act 1977, it rejects the objection by Grant Roberts and recommends to the Minister of Conservation that the reserve status be revoked of the identified part of the property to enable it to be declared surplus and sold and the proceeds used for the improvement, development or purchase of other reserves in accordance with Council’s Reserves Strategy”.

OPTION	EVALUATION
<p>Option 1: Status Quo – leave the Site zoned <i>Passive Recreation Activity Area</i></p> <p><u>NOT RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Avoids the cost associated with a plan change process • Retains the Site for current extremely limited informal and casual recreation use and the option for future possible (more intensive) recreation use should (costly) earthworks and vegetation clearance works take place. • Retains the existing character and visual amenity of the Site. <p><u>Costs:</u></p> <ul style="list-style-type: none"> • All non-recreation uses would require resource consent applications, including business uses • Inefficient use of land which is suitable for business development and has extremely limited recreational use and little contribution towards the reserve network. • The Site has low-medium ecological, landscape and open space values. It is a small part of a much larger area of land in the Title, and its loss from the Title will not break the large corridor of green open space zoned <i>Passive Recreation Activity Area</i> situated on the Eastern Hutt Hills.

<p>Option 2: Rezone the Site <i>General Business Activity Area</i></p> <p><u>RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • This option recognises that the Site is suitable for business use and can be made available for that use. • Enables the creation of a new business Site, which is consistent with the use of surrounding sites to the north and west and further south. • The Site can be serviced from existing reticulated services. • Provides for the use of land for which Council as the owner is unlikely to have any further use or alternative future plans. <p><u>Costs:</u></p> <ul style="list-style-type: none"> • Some limited visual amenity impact from development for business use. • Loss of existing, infrequently used, passive recreation area.
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7.2 The risk of acting or not acting

A s32 evaluation must take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

It is considered that Council has sufficient information about the subject matter of this Proposed Plan Change.

SUMMARY:

The Site has been identified as suitable for commercial and/or industrial development and not required for recreation purposes, or to maintain and enhance the open space and natural character values of the large Passive Recreation Activity Area within which it sits. The rezoning of the Site to General Business Activity Area will allow the Site to be developed in an appropriate manner. It is an efficient use and development of an under-utilised land resource that can occur while still maintaining the amenity values of the surrounding business and open space/reserve areas and without affecting the residential amenity of any properties. The General Business Activity Area zoning is considered appropriate given the size, character and location of the Site in relation to other General Business Activity Area land. The objectives and policies of the activity area are suitable, as are the rules which will determine any future development on the Site.

Appendices

- Appendix 1:** Plans of area proposed to be zoned General Business Activity Area
- Appendix 2:** Operative District Plan Map F3
- Appendix 3:** Assessment of Reserve Values by Parks and Open Spaces Ltd
- Appendix 4:** Preliminary Geotechnical Suitability Assessment by Tonkin & Taylor Ltd
- Appendix 5:** Traffic Assessment by Barclay Traffic Planning
- Appendix 6:** Ecological Assessment by Dr Paul Blaschke

Appendix 1: Plans of the Site, illustrating the area proposed to be zoned
General Business Activity Area

Appendix 2: Operative District Plan Map F3

Appendix 3: Assessment of Reserve Values by Parks and Open Spaces Ltd

Appendix 4: Preliminary Geotechnical Suitability Assessment by Tonkin & Taylor Ltd

Appendix 5: Traffic Assessment by Barclay Traffic Planning

Appendix 6: Ecological Assessment by Dr Paul Blaschke

Part 5: Copy of Submission Form

Submission on publicly notified Proposed District Plan Change



Clause 6 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

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

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

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

Proposed District Plan Change No:

Title of Proposed District Plan Change:

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

Please give details:

(Please use additional pages if you wish)

4. My submission is:

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

(Please use additional pages if you wish)

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

Give precise details:

(Please use additional pages if you wish)

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

(please tick one)

7. If others make a similar submission,

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

(please tick one)

Signature of submitter:
(or person authorised to sign on behalf of submitter)

Date

Submission number
OFFICE USE ONLY