

Proposed District Plan Change 31

33 ATIAWA CRESCENT, WAIWHETU,
REZONING THE SITE AS GENERAL RESIDENTIAL ACTIVITY
AREA

Publicly Notified:
Submissions Close:

28 May 2013
28 June 2013

Part 1: Introduction

1. What is Proposed Plan Change 31?

The purpose of Proposed Plan Change 31 is to rezone the site at 33 Atiawa Crescent as General Residential Activity Area in the City of Lower Hutt District Plan. The entire site is currently zoned General Recreation Activity Area. The area of the site is 1795m² and has a frontage onto Atiawa Crescent as denoted on the Cuttriss Consultants Plan 28075SCH contained in Part 4 - Appendix 1. The proposed residential zoning would be consistent with the zoning of the adjoining properties. No new District Plan provisions such as objectives, policies, rules or standards are proposed to be introduced as a result of this plan change. The only amendments which will need to be made will be to District Plan Map 'D5' to reflect the zone change.

2. Reasons for Proposed Plan Change

In the middle of 2012, Hutt City Council (Council) was approached by representatives of Te Runanganui O Taranaki Whanui to discuss the acquisition of 33 Atiawa Crescent, Waiwhetu. An assessment of the recreational and open space values of the site was undertaken by PAOS Ltd. This review found that the site had a low value as a reserve. At a Policy Committee meeting on 2 October 2012 the Council resolved to consult with the local community in accordance with the provisions of the Reserves Act 1977, in regards to the revocation of the reserve classification and associated disposal of the land. At the conclusion of the consultation period, no submissions were received and the Policy committee resolved at its meeting on 20 November 2012 to recommend to full Council to revoke the reserve status of the site and to prepare a plan change to facilitate residential development on the site. Council resolved at its meeting on 11 December 2012 to revoke the reserve status and proceed with a plan change for the site. The site proposed to be zoned General Residential Activity Area is shown on the Cuttriss Consultants Plan in Part 4 - Appendix 1. An indicative development which involves the establishment of 3 residential lots is shown in Part 4 - Appendix 2. 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:

Part 1	Introduction
Part 2	A copy of the public notice of Proposed Plan Change 31 which was advertised in the Hutt News of Tuesday 28 June 2013
Part 3	Identifies the amendments proposed to the District Plan Maps (D5)
Part 4	A copy of the Section 32 Evaluation prepared for Proposed Plan Change 31, as required by Section 74 of the Resource Management Act 1991 (including Appendices 1 to 6);
Part 5	A 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 31

The process for preparing Proposed Plan Change 31 can be summarised as follows:

October 2012	A report was made to Council's Policy Committee which sought a resolution to notify the intention to revoke the reserve status of 33 Atiawa Crescent. This resolution was carried by the Committee.
Oct 2012 – Nov 2012	Consultation was undertaken with the relevant parties under the Reserves Act 1977 in relation to the revocation of the reserve status of the site.
November 2012	No objections or submissions were received and the Policy Committee resolved to recommend to Council to revoke the reserves status of the site and to prepare a plan change to facilitate residential development.
December 2012	Council resolved to revoke the reserves status of the site and to prepare a plan change to facilitate residential development.
14 May 2013	Proposed Plan Change 31 was adopted by Council for public notification.
28 May 2013	Proposed Plan Change 31 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.

Part 2: Public Notice

PUBLIC NOTICE

Public Notification of Proposed District Plan Change 31 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 31: 33 Atiawa Crescent, Waiwhetu – rezoning the site as General Residential Activity Area

Proposed Plan Change 31 proposes to rezone the Council owned land at 33 Atiawa Crescent, Waiwhetu (Lot 25 DP 15344, Computer Freehold Register WNB4/4) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change would enable subdivision and development of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan.

Documentation for Proposed Plan Change 31 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/district-plan-change-31>

Copies can also be requested by contacting Hutt City Council:

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

Submissions close on Friday 28 June at 5.00pm

Any person may make a submission on Proposed Plan Change 31. 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;
- 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:

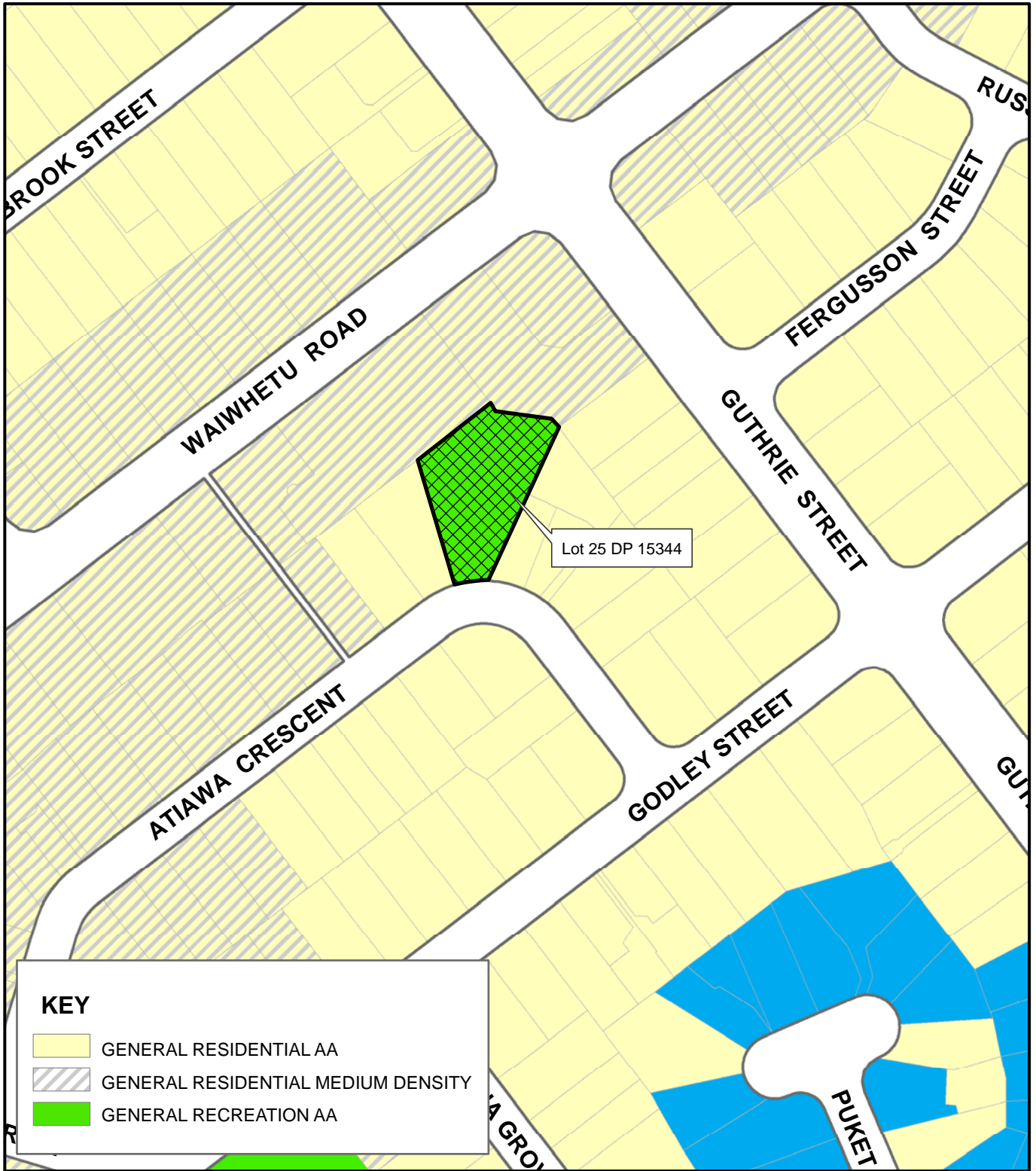
- after the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified; and
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made; and
- if a person making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

28 May 2013

Part 3: Proposed Plan Change 31
Amendments to District Planning Map D5



Proposed Plan Change 31

33 Atiawa Crescent, Waiwhetu, Lot 25 DP 15344

 Land to be zoned General Residential Activity Area

Planning Map D5



District Plan - City of Lower Hutt



Scale 1:2000

Part 4: Section 32 Evaluation

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 (s)32, evaluates the proposal to rezone the land at 33 Atiawa Crescent from General Recreation Activity Area to General Residential Activity Area. The (s)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 site is a flat 1795m² property situated at 33 Atiawa Crescent, Waiwhetu (Appendix 1 identifies the locality of the subject property). The site contains no buildings or playground equipment and is grassed. Located along the western boundary of the property are several trees.

The character of the area immediately surrounding the site is predominately residential in nature. These residential properties contain dwellings of a mix of architectural styles, ages and designs, some of which are two storied, although most are single storied. The properties located in the local environment are a variety of sizes. The majority of the sites are over 500m² in area. However, there are several properties that are smaller than 400m², including a multi-unit development situated to the immediate north west of 33 Atiawa Crescent.

2.2 Legal Description

The site is legally described as Lot 25 DP 15344, is approximately 1795m² in area and is held in Computer Freehold Register WNB4/4 (a copy of the Computer Freehold Register is contained in Appendix 3). The site was registered as a recreation reserve under the Reserves Act 1977. This reserve status has since been revoked and a copy of the gazette notice confirming this is contained in Appendix 4. There are no restrictions or interests registered on the Computer Freehold Register of the site that would affect this plan change.

The site is currently zoned General Recreation Activity Area in the City of Lower Hutt District Plan. There are no other special notations or restrictions registered within the District Plan which would affect this proposal.

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 Lower Hutt District Scheme which became operative in 1964. Within this scheme, the site was zoned Public Recreation Reserve. Under the first review of the District Scheme, which became operative in 1978, the site was zoned 'Existing Public Reserve'. Under the District Scheme Review 2 which became operative in 1991, the site was zoned recreation. 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

Between 2007 and 2012 Council undertook a detailed review of all of the land it held in fee simple ownership and managed as reserve. While the emphasis of this review was for land not vested under the Reserves Act 1977, a couple of properties that were vested as reserve were included in this process. The purpose of this review was to ensure that all Council owned land that is managed as reserve was being used for its best purpose. This land review process resulted in several areas of land being disposed of, as their recreational values were considered to be low. As part of this process, several plan changes were required to be undertaken. This process has now been largely completed.

This site (33 Atiawa Crescent) was not assessed as part of the land review as it was vested as a recreation reserve under the Reserves Act 1977. However, in the middle of 2012, representatives from Te Runanganui O Taranaki Whanui approached the Council and identified an interest in purchasing the site. Following these discussions, an assessment of the recreational and open space values of the site was undertaken by PAOS Ltd. This review found that the site had a low value as a reserve. At a Policy Committee meeting in October 2012, it was resolved to consult with the local community in accordance with the provisions of the Reserves Act 1977, in regards to the revocation of the reserve classification under the Reserves Act 1977 and the associated disposal of the land. At the conclusion of the consultation period, no submissions were received. The Policy Committee therefore resolved on 20 November 2012 to recommend to full Council to revoke the reserve status of the site and to prepare a plan change to facilitate residential development on the site. This resolution was carried in the 11 December 2012 full Council meeting.

The site is currently zoned General Recreation Activity Area in the City of Lower Hutt District Plan. Within this zone, any activities that are not recreational in nature are classified as discretionary activities (including residential development). This Proposed Plan Change is seeking to rezone 33 Atiawa Crescent to the General Residential Activity Area in order to facilitate residential development.

If the site was to be zoned General Residential Activity Area, and development was undertaken in accordance with the relevant density provisions of the District Plan, it is anticipated that a 3 lot subdivision could be undertaken on the site (as identified on the indicative plan within Appendix 2). 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.

It should be noted that the subdivision plan shown in Appendix 2 is only an indicative development demonstrating what could be undertaken on the property, if this site 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 33 Atiawa Crescent to General Residential Activity Area. An assessment of the potential environmental effects of the 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 effects on amenity and character, effects on recreation values, traffic effects, and effects on infrastructure. These matters are considered below.

5.1 Amenity and Character Effects

The Proposed Plan Change is seeking to rezone the site from General Recreation Activity Area to General Residential Activity Area. This zoning would allow for a possible 3 lot residential development on the site. These lots would comply with the net site area and shape factor requirements for the General Residential Activity Area zone and would result in a density of development which is consistent with the established character of Waiwhetu. It is noted that any future subdivision of the site requires a resource consent application (as all subdivisions require resource consent under the District Plan), and would be subject to the conditions and standards which are detailed within the District Plan and any subsequent resource consent decision.

The permitted activity conditions for the General Residential Activity Area zone would ensure that dwellings built on the site would be similar in scale (size and height) to the existing housing in Waiwhetu. The permitted activity conditions for buildings in the General Residential Activity Area include a maximum height of 8 metres, minimum yard setbacks, recession planes and a maximum site coverage of 35% of the net site area. Compliance with these permitted activity conditions is considered to result in a density of development that will be in keeping with the intended amenity values and character of the local environment, as envisioned under the District Plan. It is considered that the site is not sufficiently unique, or the character of the local environment such, that site specific rules are required to maintain the amenity values and character of the local environment.

The existing rules in the District Plan for subdivision will also 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, in addition to any conditions imposed on the consent. The adverse effects of subdivision, and any measures used 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 Controlled Activity due to the limited site development works which would be required to implement a subdivision. The matters which Council seeks to control when assessing subdivision proposals include the design and layout of the

subdivision, the provision of servicing, management of construction effects, protection of significant sites, and the avoidance or mitigation of natural hazards.

The assessment criteria for subdivisions also state that subdivisions should have a strong and positive identity by taking into account characteristics of the area (Rule 11.2.2.3 of the District Plan). Given the flat nature of the site, any future subdivision on this property would be able to be designed in a manner which reflects the character of the surrounding environment, being low to medium density residential development.

Due to the topography of the site and its location, the site is not visually prominent when viewed from the wider environment, with any views of the property being from immediately adjoining properties and from Atiawa Crescent. The site does not contain any significant landforms. As such, it is considered that any wider amenity effects arising from the rezoning of the site will be less than minor, and any immediate effects on the amenity values of the local environment, can be addressed through the existing rules of the District Plan.

In conclusion, it is considered that given the factors described above, any potential visual amenity or character effects arising from rezoning of the property to the General Residential Activity Area will be minor. It is considered that any adverse effects resulting from the future residential development of the site can be appropriately addressed by the existing rules of the District Plan.

5.2 Traffic Effects

The potential traffic related effects of the proposal to rezone the site to General Residential Activity Area, and the resulting residential development, have been assessed. The proposed rezoning of 33 Atiawa Crescent could potentially result in three additional household units. The Permitted Activity Conditions require two on-site car parks be provided for each dwelling, which could potentially result in an additional six vehicles utilising Atiawa Crescent (which equates to an additional 27 movements per day). It is considered that these additional traffic movements arising from the residential use of the site would not be discernible against the existing traffic flows on the local roading network. It is also considered that these additional traffic movements would not result in any traffic safety or efficiency effects. As such, it is considered that the Proposed Plan Change would not result in any significant traffic effects and any traffic effects resulting from the Proposed Plan Change can be appropriately addressed by the existing District Plan rules.

5.3 Infrastructure Effects

The proposed General Residential Activity Area zoning would allow for residential development to be undertaken on the site. A review of the services within the local area has been undertaken by Cuttriss Consultants Limited, with the findings detailed in the report attached in Appendix 6. 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 is sufficient capacity in the wastewater, stormwater, water supply, power and Telecom services in the local area to support a potential subdivision resulting from the Proposed Plan Change. Accordingly, it is considered that there are sufficient services in the local area to support the any future residential development on the site arising from the proposed General Residential Activity Area zone.

5.4 Recreational Effects

The recreation values of the site and the effects of the Proposed Plan Change on these recreation values has been assessed within the PAOS report dated September 2012 (See

Appendix 5). This report assessed the value of the reserve using the criteria in Hutt City Council's *Reserves Acquisition/Disposal Policy and Guidelines*. The report concluded that the site has a low value as a reserve and a low contribution to the overall reserve network in Waiwhetu for the following reasons:

- The reserve exists in isolation with no particular features or special character;
- The reserve does not meet any of the key directions of the Reserves Strategic Directions and has a single purpose with limited ability to change;
- There are several reserves in the immediate area that provide for open space recreational activities;
- The site has only one access and provides an experience (grassed open space) that is readily available in other neighbourhood parks nearby;
- The site stands alone and is limited in size and is unsuitable for formal recreation; and
- The site has no ecological value and contains no historical features.

The PAOS report recognises that there are a number of reserves located in close proximity to the site. These reserves include the Godley Street Reserve, Trafalgar Street Reserve, Te Whiti Park and Haywards Eastern Hills Science Reserve. In addition to these parks, there are also a number of public and private open spaces located in the local environment, including the Waiwhetu Marae, and the Waiwhetu Stream riverbanks. These reserves, parks and open spaces can be used for a variety of recreational activities. It is considered that these existing facilities would assist with meeting the recreational needs of the local community and with mitigating the effects associated with the Proposed Plan Change.

The PAOS report has investigated the quantity of reserve land that would remain if 33 Atiawa Crescent was sold. In this regard, the PAOS report finds that the remaining open space would easily meet the 4 hectares of land per 1000 people population benchmark for the local area. Furthermore, the desirability of having neighbourhood parks within 10 minutes' walk from any residence will also be maintained.

Given these above findings, it is considered that any potential recreational effects arising from the rezoning the site from General Recreation to General Residential will be less than minor. Accordingly, it is considered the General Residential Activity Area zone is appropriate for the site.

5.5 Conclusion

Overall, it is considered that the adverse effects of the Proposed Plan Change can be adequately controlled by the rules, objectives and policies contained in Chapters 4A and 11 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 the residential development of the site.

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

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 –

- (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*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposal 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 there are a number of other recreation grounds located in the local environment that will meet the recreational need of the local community. While the Proposed Plan Change would reduce the total amount of recreational land available, the remaining parks and open space would meet the 4 hectares of land per 1000 people population benchmark for the local area. Furthermore, the desirability of having neighbourhood parks within 10 minutes' walk from any residence will also be maintained.

The proposed General Residential Activity Area zone would be consistent with the zoning of the immediately adjoining residential properties and would allow for both a density of housing, and a housing form, which is in keeping with the immediate and wider environments. Any adverse effects resulting from the residential development of the site are considered to be able to be appropriately mitigated through the existing provisions in Chapters 4A and 11 of the District Plan. It is therefore considered that the proposed General Residential Activity Area zone will maintain the amenity values and character of the local environment.

The Proposed Plan Change is considered to provide for the social and economic wellbeing of the local community. The rezoning of the site to the General Residential Activity Area encourages the development of residential housing. Any housing development on the site would provide increased employment during construction in addition to the benefits derived from modern construction (i.e.: insulated homes which are warm and dry). The additional housing would also increase the ratings base, thereby providing increase revenue to the Council to assist with improving services for the wider community.

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 subject to this Proposed Plan Change 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; and
- The area subject to this Proposed Plan Change is not within a Significant Natural Resource as identified in the City of Lower Hutt District Plan.

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 density of residential development that could result from the Proposed Plan Change would be at a level which is consistent with the established character and visual amenity values of the wider environment;
- The site is considered to have a low recreational value and there are a large number of recreational opportunities available in the local area. As such, it is considered that the Proposed Plan Change does not detract from the ability for local residents to access recreational facilities within walking distance of their residence;
- Any potential adverse effects resulting from future residential development of the site can be mitigated through the existing District Plan objectives, policies and rules relating 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; and
- The existing services within the local environment have sufficient capacity to service future residential development on the site.

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 Wellington Regional Policy Statement

The Regional Policy Statement (Proposed RPS) was notified in early 2009 with a decision on submissions being made in May 2010. The RPS was appealed to the Environment Court and in 2012 these appeals were resolved. The amended RPS has been approved by Council and is awaiting printing. Advice from Greater Wellington Regional Council is that this RPS can be considered as operative and replaces the first generation RPS that was operative between 1995 and 2012.

The objective and policies of the RPS most relevant to the Proposed Plan Change are considered to be the following:

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);*

Policy 32

Supporting a compact, well designed and sustainable regional form.

Policy 54

Maintaining a compact, well designed and sustainable regional form.

Policy 57

Co-ordinating land use with development and operation of infrastructure.

It is considered that the Proposed Plan Change is consistent with the objectives and policies of the RPS.

Objective 21 and the associated policies seek to ensure that urban development is undertaken within existing urban centres in a manner which is an efficient use of the existing infrastructure. The proposal site is located within an urban environment and is well serviced by existing infrastructure. The rezoning of the site would promote residential development in an area which is well serviced by recreational facilities, and is situated close to public transport. Given these factors, the Plan Change is considered to be consistent with Objective 21 and the supporting policies of the as the development of the site for residential purposes would be an efficient use of the land resource.

Although not part of this application, an indicative development layout has been designed for the site. 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 the wider area. The final design 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 RPS.

6.3 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. The strategy has been developed 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.

6.4 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 that 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.

6.5 City of Lower Hutt District Plan

6.5.1 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. The site is located in an established residential area which is serviced by existing infrastructure. The site is located in close proximity to main transport links and the local roading network will have capacity to accommodate the likely traffic generation which could result from future residential development of the site. Given these factors, it is considered that the proposed General Residential Activity Area zoning is appropriate for the site and would allow for the maximum development potential to be realised while allowing for further consolidation of an existing 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 PAOS assessment for the site identifies that the property has low recreational values. This assessment recognises that there are a number of public and private areas available within the local environment that will meet the recreational needs of the local community. This report identifies that if the site was to be no longer used for recreational purposes, the residential properties in the local area would still have access to a recreational facility within ten minutes walk of their property and the desirable level of recreational space of 4 hectares of land per 1000 people would be maintained. 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 site is a modified, grassed field that contains no significant vegetation. As such, any potential ecological effects resulting from the proposal are considered to be minimal.

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, as it will result in the

retention of a underutilised park which has little potential for meeting the recreational needs of the local community.

6.5.2 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 of the City of Lower Hutt District Plan. The objectives and policies of the General Residential 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.*

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 maneuvers.*

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.

No changes are proposed to the objectives, policies and rules of the General Residential Activity Area as part of this Proposed 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.

6.6 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; and
- Long Term Council Plan (LTCP) 2012.

The Proposed Plan Change is considered to be consistent with the outcomes sought under the above strategies and plans.

6.7 Consultation

Between September and October 2012, consultation was undertaken with the relevant parties in relation to the disposal of land managed as reserve in accordance with the requirements of the Reserves Act 1977. The actions which were undertaken as part of this process included:

- Formal advertisement in the Hutt News regarding the revocation of the recreation reserve status of the land and the possible disposal of the site;
- Letter sent to adjoining land owners/tenants of land identified for possible disposal; and
- Information posted on the Council's website.

No submissions were received by Council in regards to the consultation that was undertaken under the Reserves Act 1977. Subsequently, the Council has resolved to revoke the recreation reserve status from the site and seek a plan change to rezone the property to allow for residential development. If this plan change is successful, the Council will dispose of the site.

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:

- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui; and
- The Port Nicholson Block Settlement Trust.

These parties supported the Proposed Plan Change. While we did not hear from other parties notified of the plan change during this 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 33 Atiawa Crescent to the General Residential Activity Area. The General Residential Activity Area is the most common zone within the Hutt Valley 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, two storied residential developments.

Three 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; and
- Zone the site subject to this Proposed Plan Change as Medium Density General Residential 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 s32 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
Option 1: Status Quo	<u>Benefits</u> <ul style="list-style-type: none"> ▪ Avoids the costs associated with the Plan Change process; ▪ The site remains zoned General Recreation Activity Area and therefore the development density which can be established on

<p><u>NOT RECOMMENDED</u></p>	<p>the site is restricted;</p> <ul style="list-style-type: none"> ▪ The existing character of the subject property is maintained; and ▪ The recreation activities currently undertaken on the site can continue unchanged. <p><u>Costs</u></p> <ul style="list-style-type: none"> ▪ The site has been identified as having low recreational values and would likely to remain underutilised if it is not rezoned; ▪ 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; ▪ The revenue gained from the sale of the property would not be able to be reinvested into the remaining parks in the Hutt Valley, thereby potentially resulting in lost recreational opportunities over the wider Hutt Valley community; and ▪ Loss of rates revenue that would arise from residential development of the site.
<p>Option 2: 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"> ▪ Results in a zoning which is consistent with the character of the existing residential environment; ▪ The zoning allows for a level of residential development which would result in an efficient and effective utilisation of the resource; ▪ Allows for residential growth within an existing urban area, thereby containing urban development; and ▪ Increased revenue from an increase in the number of properties paying rates. <p><u>Costs</u></p> <ul style="list-style-type: none"> ▪ The costs associated with the Plan Change process; ▪ Loss of an area of recreational land from the local environment; and ▪ A reduction in open space values as the site is developed.
<p>Option 3: Zone the site as Medium Density General Residential Activity Area.</p> <p><u>NOT</u></p>	<p><u>Benefits</u></p> <ul style="list-style-type: none"> ▪ Potential for a larger number of lots to be developed; ▪ Allows for intensive residential growth in an existing urban area, thereby containing urban development; and ▪ Increased revenue from an increase in the number of properties paying rates. <p><u>Costs</u></p> <ul style="list-style-type: none"> ▪ The costs associated with the Plan Change process;

<u>RECOMMENDED</u>	<ul style="list-style-type: none"> ▪ Loss of an area of recreational land from the local community; ▪ The resulting density of development would not be consistent with the character of the local environment, which is zoned General Residential Activity Area; ▪ The site is greater than 500m from a commercial centre and is not located on a main transport link and therefore does not meet the set criteria in the District Plan for medium density zoning; and ▪ The effects on the environment, such as visual amenity and residential character effects, of a higher density of residential development would be greater than development enabled by a General Residential Activity Area zoning, thereby resulting in a reduction of visual amenity values for the local environment.
--------------------	--

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 (s)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 Council has resolved to dispose of 33 Atiawa Crescent, Waiwhetu subject to the outcome of the Proposed Plan Change. The Proposed Plan Change seeks to rezone the site from General Recreation Activity Area to General Residential Activity Area. The recreational values of the site have been assessed by PAOS and they consider that these values are low.

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.

INDEX TO APPENDICES

- Appendix 1: Plan identifying the extent of the area of the site to be rezoned
- Appendix 2: An indicative three lot subdivision plan for the site
- Appendix 3: Computer Freehold Register
- Appendix 4: Gazette notice pertaining to the revoking of the reserve status of the site
- Appendix 5: Assessment of the recreational effects associated with the disposal of the site
- Appendix 6: Assessment of the infrastructure effects associated with the Proposed Plan Change

APPENDIX 1: Plan identifying the extent of the site to be rezoned (shown as the area shaded yellow).

APPENDIX 2: Indicative three lot subdivision of the site

APPENDIX 3: Computer Freehold Register

APPENDIX 4 Gazette Notice

APPENDIX 5: Assessment of the recreational values of the site

**APPENDIX 6: Assessment of the infrastructure effects
associated with the Proposed Plan Change**

Part 5: Submission Form (Form 5)
