

Proposed District Plan Change 21

**54 OAKLEIGH STREET, MAUNGARAKI
REZONING OF PART OF THE SITE AS GENERAL
RESIDENTIAL ACTIVITY AREA**

**Publicly Notified:
Submissions Close:**

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

Part 1: Introduction

1. What is Proposed Plan Change 21?

The purpose of Proposed Plan Change 21 is to rezone part of a Hutt City Council (Council) owned parcel of land at 54 Oakleigh Street, Maungaraki from General Recreation Activity Area to General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan). The parcel is situated on the northern side of Oakleigh Street and is approximately 1.5ha in size. The property is legally described as Lot 2 DP 33083 (Certificate of Title WN27A/676) and is held by Council in fee simple and the “purpose” described on the Title is “housing”. This proposed plan change only refers to the northern part of the parcel which is approximately 8,500 m² in size and is hereafter referred to as the ‘Site’. A plan of the Site, illustrating the area proposed to be zoned General Residential Activity Area is attached at Part 4 - Appendix 1.

The majority of the Site is presently zoned as General Recreation Activity Area in the District Plan, except for the access-way that runs along the entire eastern side of the , that is presently zoned as General Residential Activity Area in the District Plan.

The operative District Plan Maps A4, B3, and R1 are attached at Part 4 - Appendix 2.

2. Reasons for Proposed Plan Change

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 being used for – general recreation. A further assessment by Council of the future potential of the site concluded that it had a low level of significance over the criteria of Landscape Visual, Open Space and Natural Site Features and the overall value was considered to be low. Therefore it could be developed for residential purposes under the provision of the District Plan for General Residential Activity Area. However the assessment noted that there was a need to establish the degree of informal recreational use of the land.

As an outcome of this assessment and the following consultation under the Local Government Act Council concluded that the southern part of the Site (approximately 6500m²) should be retained as General Recreation Activity Area and while the northern part of the Site should be rezoned as General Residential Activity Area to allow for appropriate subdivision and development that fits with the surrounding General Residential 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 21 which was advertised in the Hutt News on 12 April 2011
Part 3	shows the amendment proposed to the District Plan Maps
Part 4	is a copy of the <i>Section 32 Evaluation</i> prepared for Proposed Plan Change 21, 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 21

The process for preparing Proposed Plan Change 21 to date can be summarised as:

May – June 2008	Consultation with relevant parties (through Local Government Act proceedings)
14 April 2010	Need for Plan Change identified (resolution of Council)
14 April 2010	Council approval to prepare proposed plan change
15 March 2011	Proposed plan change adopted by Council for public notification
12 April 2011	Proposed plan change notified

Upon notification, 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 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.

Part 2: Public Notice

PUBLIC NOTICE

Public Notification of Proposed District Plan Change 21 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 – 54 Oakleigh Street, Maungaraki Rezoning of Part of the Site as General Residential Activity Area

Proposed Plan Change 21 proposes to rezone the northern part of a parcel of Council owned land at 54 Oakleigh Street, Maungaraki (Lot 2 DP 33083, Certificate of Title WN 27A/676) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change will enable subdivision and development of the northern part of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan while the southern part of the site will remain General Recreation Activity Area.

Documentation for Proposed Plan Change 21 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-21/>

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 21. 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.

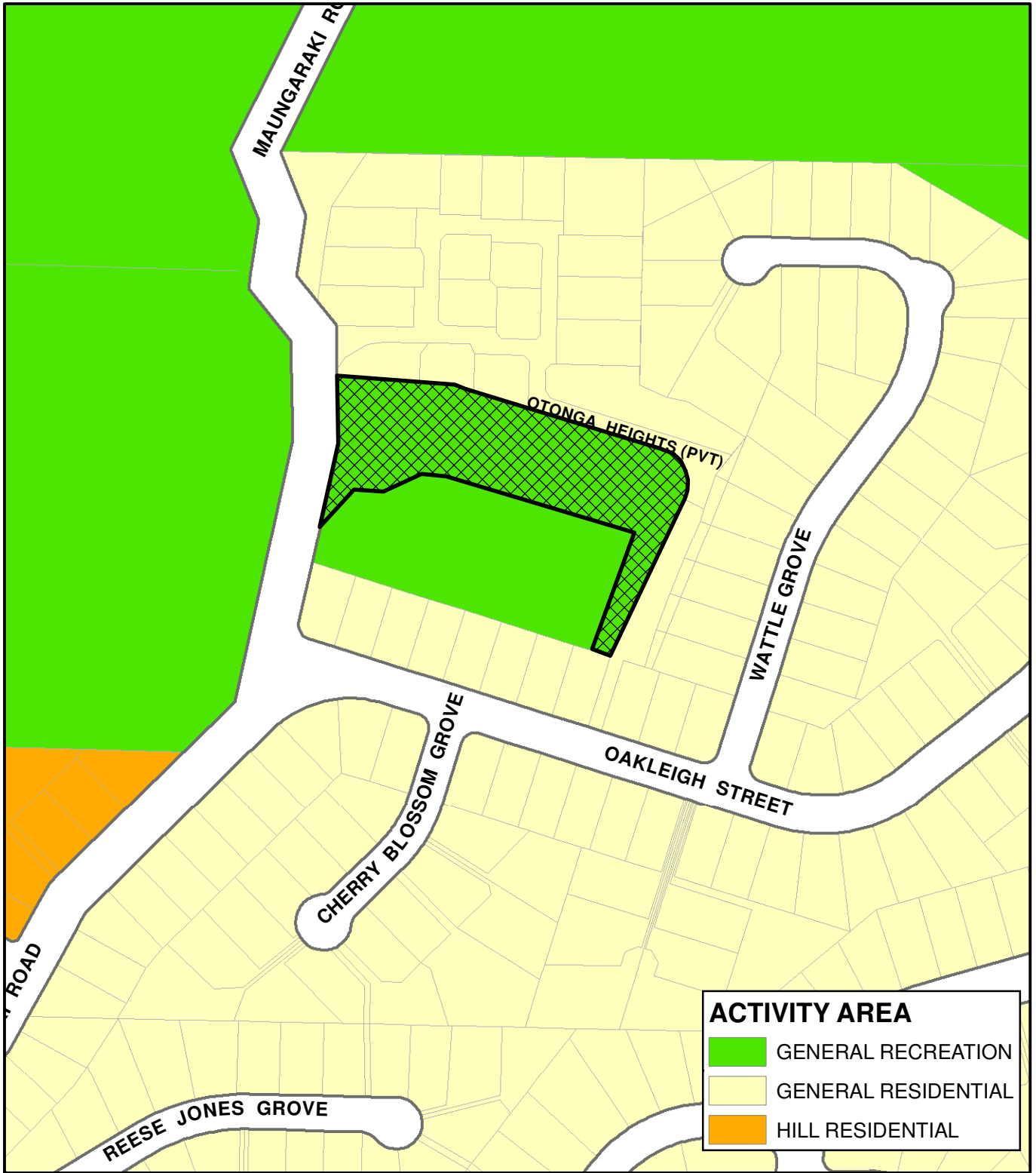
The process for public participation in the consideration of this proposal under the Act is as follows:

- 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 21
Amendments to District Plan Map



Proposed Plan Change 21
 Oakleigh Street, Maungaraki (Pt Lot 2 DP 33083)

 Area to be rezoned from General Recreation Activity Area to General Residential Activity Area.

Planning Maps A4 and R3



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 Hutt City Council (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:

The proposed plan change would rezone part of a Hutt City Council (Council) owned parcel of land at 54 Oakleigh Street, Maungaraki to General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan). The parcel is situated on the northern side of Oakleigh Street and is approximately 1.5ha in size. The property is legally described as Lot 2 DP 33083 (Certificate of Title WN27A/676) and is held by Council in fee simple and the “purpose” described on the Title is “housing”. This proposed plan change only refers to the northern part of the parcel which is approximately 8,500 m² in size and is hereafter referred to as the ‘Site’. A plan of the Site, illustrating the area proposed to be zoned General Residential Activity Area is attached at Part 4 - Appendix 1.

The majority of the Site is presently zoned as General Recreation Activity Area in the District Plan, except for the access-way that runs along the entire eastern side of the, that is presently zoned as General Residential Activity Area in the District Plan.

The operative District Plan Maps A4, B3 and R1 are attached at Part 4 - Appendix 2.

2. HISTORY

The Site was part of a larger block of land (Title WN27A/676) purchased by Council for housing purposes in 1959. In 1969 the Council entered into an agreement with the Crown to provide for construction of a school on part of the land acquired for housing purposes, so as to provide education facilities needed as a result of the housing development. Otonga School was then built on part of the land and the Site was developed and used as a sports ground in conjunction with the school.

In the 1990's Otonga School closed and in 1999 was declared surplus by the Crown.

The Site is a fee simple Title, still held for Housing purposes.

3. BACKGROUND

Since 2007 Council has been undertaking a review of its land holdings managed as reserve throughout the City. The objective is to ensure that 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. A Council sub-committee then reviews these reports and makes a recommendation on the future of each site – to either reserve the land under the Reserves Act or consider releasing it for sale. The recommendation is publicly notified, as required under the Local Government Act, and submissions called for from the public. After consideration of these submissions the Council makes a resolution on the future of the site. This Site on Oakleigh Street is one such land holding.

Council's original plan was to consider the disposal of the site 54 Oakleigh Street for residential development in total.

As an outcome of the assessment and the following consultation under the Local Government Act Council concluded that the southern part of the Site (approximately 6500m²) should be retained as General Recreation Activity Area while the northern part of the Site has good development potential, but needs to be rezoned as General Residential Activity Area to allow subdivision and development appropriate to that zone to occur should Council proceed to declare the area to be rezoned surplus if this proposed plan change is adopted.

Council itself has no development plans for the area proposed to be rezoned General Residential Activity Area. This portion of the Site is proposed to be sold for development by any future owners if the proposed plan change is adopted, and Council declares that portion of the Site surplus. Therefore, no future development is being applied for in this plan change process. Any future development would be required to fit within the parameters of the District Plan for the General Residential Activity Area.

According to the provisions of the District Plan for General Residential Activity Areas it is anticipated that an 11 lot development could occur on the Site, in keeping with the lot sizes anticipated by the Subdivision provisions of the District Plan. An indicative development plan has been drafted and is provided at Part 4 - Appendix 3. It must be noted that this plan is

indicative only. The development itself is not being applied for in this Plan Change process, and would be subject to a separate resource consent process.

Furthermore Council has resolved that by retaining part of the site to classify as recreation reserve, while freeing up some land for housing purposes *“...Council could use some of the proceeds of the sale to undertake improvements in particular drainage, to increase the reserve’s usability and ensure compatibility with the Belmont Regional Park entrance.”* (Resolution from Council Meeting on 12 August 2008).

4. DESCRIPTION OF THE LAND

The Site is a rear site situated on the northern side of Oakleigh Street. The Site is mostly a grassed playing field and has a strip of vegetation around its eastern, western and southern boundaries. The Site has very poor drainage and therefore receives limited use as a playing field. Its main use is for informal/passive recreation. The Site sits above and behind the properties on Oakleigh Street, and is slightly undulating in contour. The former Otonga Primary School site sits immediately north of the Site and is accessed via a right-of-way over the access-way to, and within, the Site. A 19-lot subdivision has been approved, and is being developed, on this land. Belmont Regional Park sits to the west of the Site. The wider surrounding properties are within the General Residential Activity Area and are largely used for residential purposes.

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 nestled within an existing General Residential Activity Area. Its partial rezoning as General Residential Activity Area will therefore fit well within the context of the surrounding land uses and is an efficient use of the existing utilities and roading infrastructure. Consolidating residential development within the existing urban boundaries avoids the adverse effects that can be created by allowing urban sprawl into the rural area.

Residential and Open Space Amenity:

If the Site is partially rezoned as General Residential Activity Area the resultant development parameters for that area will be no different to those of the surrounding General Residential Activity Area, including a minimum lot size of 400m² per site. The Site does not have any outstanding landscape features; however there is a strip of vegetation around its eastern and southern boundaries that provides a buffer with the adjoining residential properties. The Site sits above the residential properties on Oakleigh Street. This different level, combined with the strip of vegetation, provides a buffer between the Site and the properties below on Oakleigh Street. Likewise, the Site is at a different level to the properties on Wattle Grove and is separated from them by vegetation also. The 19-lot subdivision that has proceeded behind the Site is at a slightly higher elevation than the Site.

The Site is presently managed as a neighbourhood reserve under the Neighbourhood Reserves Management Plan. It is not classified as a reserve under the Reserves Act, although Council policy is to manage the site as if it is classified.

An Assessment of Open Space and Visual Amenity of the Site has been undertaken by PAOS and is appended at Appendix 4. The Assessment states that the Site does not meet any Reserves Key Directions and concludes that the proposed rezoning is appropriate as long as:

- The area to remain as General Recreation Activity Area is developed as a neighbourhood park; and
- Measures are carried out to protect vegetation on the western bank of the Area to be rezoned as General Residential Activity Area (being the area between the flat grassed area and the Belmont Regional Park car park).

Both of these conditions can be met by the proposed plan change.

The proposed change of zoning will not have any significant adverse effects on the residential or open space amenity of the surrounding area.

Ecological Value:

An Ecological Assessment has been prepared by Paul Blaschke (Blaschke and Rutherford Environmental and Ecology Consultants). The full ecological assessment has been attached as Appendix 8 to this report.

The site is mostly a grassed playing field that is bounded by a strip of vegetation on its western and southern sides and mainly grass on sloping banks on its eastern and northern sides. It lies on a variable depth of uncontrolled fill over greywacke rock and is subject to poor drainage. The playing field is regularly mowed and fenced on its western and southern sides.

The assessment states that the site would have originally been covered with lowland podocarp-broadband forest and that some of the clearing may have taken place as recently as the 1960's after the site was purchased by Hutt City Council.

The vegetation on the site is described as being in poor condition and providing only very limited habitat for birds and a range of invertebrate species.

Because of the very small area of the Site, its composition and the fact that it lies on the edge of a very large tract of native vegetation (Belmont Regional Park) its connectivity value in providing ecological connectivity is very low.

Overall it is considered that the Site has very low vegetation values, with the partial exception of the vegetation on its western edge and therefore the loss of this vegetation even if the entire site was cleared would be of minor ecological significance and would have no significant effect on the integrity of the Belmont Regional Park as a whole.

However the assessment concludes that it would be desirable to retain as much of the existing vegetation on the western and southern boundary of the site. To achieve this it is recommended to minimise the width of necessary access and exit roads and to protect the remaining vegetation on the western edge by way of a covenant.

Geotechnical:

A preliminary geotechnical suitability assessment has been carried out on the Site (see Appendix 5). The assessment found that the site generally comprises a variable depth of uncontrolled fill over greywacke rock, and that there is potential for moderate ongoing differential settlement over the entire site.

The geotechnical investigations undertaken (to a maximum depth of 5m) did not locate natural ground over the southern portion of the Site. This area would likely need uneconomic geotechnical works to create building platforms. This area therefore largely corresponds to the portion of the site that is proposed to remain as General Recreation Activity Area. (A small portion of it will be rezoned as General Residential Activity Area in order to allow roading within the subdivision to be included with the General Residential Activity Area).

The remainder of the site, while containing fill, is thought to be suitable for residential development, with appropriate foundation preparations.

Drainage:

The portion of the Site proposed to remain General Recreation Activity Area has poor drainage and therefore limited use as a playing field. Its main use is informal and passive recreation. The partial rezoning proposed will still leave a playing field of approximately 6,500m² in size, and it is intended that part of the proceeds from any sale of the area to be rezoned General Residential Activity Area would be used to make significant drainage improvements to the area to remain General Recreation Activity Area. This would have a positive effect in that it would make the area to remain General Recreation Activity Area more attractive and usable as a playing field.

Drainage on the area to be rezoned to General Residential Activity Area is not as poor. Any improvements desirable for this area would be undertaken by the purchaser and/or developer of that area.

Infrastructure:

An assessment of the impact of the proposed plan change on the capacity of the existing storm water, wastewater and water supply services has been undertaken by GHD Limited (GHD) and is provided at Appendix 6. GHD conclude that the existing water and wastewater infrastructure in the locality is likely to have sufficient capacity to absorb the development of the area of the proposed plan change with housing.

With respect to stormwater, GHD advise that the existing stormwater pipe that services the Site (and runs between 57 and 59 Oakleigh Street, down to Acacia Avenue and then into a gully in the Holdaway Scenic Reserve) may have capacity constraints. An alternative may be to join the stormwater discharge from the subdivision on the old Otonga School site, by discharging into a gully that feeds into the Belmont Regional Park.

Traffic:

An assessment of the traffic implications of the proposed plan change has been prepared by Barclay Traffic Planning and is attached to this report as Appendix 7.

Access to the land is currently by a right of way off Oakleigh Street. This access is utilised by the 19-lot subdivision of the former Otonga School site and is for inward movements only with outward traffic leaving the site through the Maungaraki Road entry to Belmont Regional Park.

The assessment finds that while the form of access is a matter to be determined by the developer at the time of subdivision, two means of access are possible.

The first option would be a new public road, a cul-de-sac formed from Maungaraki Road at the entrance to Belmont Regional Park giving access to the new residential development as well as to the remaining recreational area. A new intersection would be formed at the park entrance, leading to a new roadway with a turning head at the end. The existing right of way into the former Otonga School site would remain in place but would not be used for access to the new development.

The second option would be a one-way through route based on the present one-way circulation system. The roading could be either vested as road or else maintained as a private right of way. One-way circulation systems are not specifically provided for in the District Plan and a number of non-compliances would need to be addressed for this option and if the number of dwellings exceeded ten then resource consent would be needed for a private road.

Overall the assessment comes to the conclusion that it will be possible to develop satisfactory access roading, that it should be possible for all lots of a subdivision to comply with District Plan parking requirements and that the additional traffic flows will be small in relation to present traffic levels and therefore the effects on the roading network are expected to be minor. Overall it is concluded that the development provided for in the plan change can be implemented with only minor effects on traffic safety and efficiency.

6. POLICY ANALYSIS AND CONSULTATION

6.1 Resource Management Act 1991

Proposed Plan Change 21 is considered to be in keeping with the purpose of the Act, being 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*
- 7(g) Any finite characteristics of natural and physical resources*

The Proposed plan change is considered to be an efficient use of the land resource that exists within the existing urban boundaries of the City of Lower Hutt. Use of this land helps protect the finite characteristic that is the rurally zoned land outside of the urban boundaries from urban sprawl. The application of the General Residential Activity Area rules to the land will maintain the amenity values of the surrounding properties, and will maintain the quality of the environment. The proposed drainage for the remaining General Recreation Activity Area would enhance the amenity values of that area.

With respect to s8, the principles of the Treaty of Waitangi have been taken into account.

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.*

The proposal is considered to give effect to the RPS. The Site is nestled within a General Residential Activity Area within the existing urban boundaries of the City of Lower Hutt District. Therefore its use for General Residential purposes is an efficient use of the land and of the infrastructure that already services the area. Development within the bounds of the existing urban area, as opposed beyond it, protects the finite resource that is the rurally zoned and used land beyond the urban boundary. The proposed drainage improvements to

the area to remain General Recreation Activity Area would improve the environmental quality of that resource and would make the use of that resource more efficient.

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). Decisions on the Proposed RPS were issued in May 2010 and the document is presently within the appeal phase.

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: ... (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form; (f) strategically planned rural development; (h) a range of housing (including affordable housing); (h) integrated public open spaces; (i) integrated land use and transportation ...and (k) efficiently use 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. There is a bus-stop immediately adjacent to the entrance to the Site and therefore the Site has good access to this public transport mode.

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, being leadership and partnerships, growth of the region's economy and good regional form.

The WRS does not specifically address the type of rezoning that is sought by this proposed plan change; however the proposed plan change is not inconsistent with the WRS.

6.5 Consistency with surrounding District Plans

Section 74(2)(c) of the Act requires Council to consider the extent to which this proposed plan change needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

The proposed plan change covers a very small pocket on land well within the boundaries of the City of Lower Hutt. It will have no affect 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 and Reserves Strategic Directions
- Reserve Land Acquisition and Disposal Policy and Guidelines
- The Annual Plan
- Community Plan (LTCCP) 2009

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

6.7 Area-wide Objectives of the District Plan

The zoning of part of this Site on Oakleigh Street as General Residential 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 1.10.3 Residential Activity	<i>To accommodate residential growth and development through consolidation of the existing urban area but to allow some peripheral development.</i>
Objective 1.10.4 Commercial Activity	<i>To promote integrated commercial centres as community focal points.</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	<i>To protect and enhance the rural character, landscape and amenity values of the rural activity area.</i>
Objective 1.10.11 Lessening Natural Hazards	<i>To avoid or mitigate the vulnerability and risk of people and development to natural hazards.</i>

The proposed plan change is considered to be the most appropriate option for achieving these objectives. It will accommodate residential growth through consolidation whilst maintaining the character and amenity values of the surrounding General Residential 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 the management of the effects of development throughout the city and in particular within the Residential 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 residential land, without adversely affecting the enjoyment of that land.

While the status quo could remain i.e. the Site could remain largely zoned General Recreation Activity Area, it is not overly amendable to this use given its poor drainage. This alternative option is not considered as effective or efficient at achieving the Area Wide objectives of the District Plan or addressing the issues from which they stem. It does not encourage residential consolidation. While the Site would remain as an open space playing field it is not overly amenable to this use given its poor drainage. In addition, its provision as open space is not necessary for the enjoyment of residents or visitors, as there are several existing open space and recreation facilities nearby, including the Belmont Regional Park immediately next door. Therefore, the partial rezoning of the Site as proposed, combined with the improved drainage of the remaining playing field is considered to better achieve objective 1.10.6.

The Site also does not provide a significant value as open space to the surrounding residents. The residents on Oakleigh St are situated below the Site and therefore do not look over the Site. The Site is also screened to some extent by existing vegetation around three of its boundaries. Four of the new allotments in the subdivision of the Otonga School site bound the Site and are likely to lose any view they currently have of the Site.

Overall, the character and amenity values of the existing General Residential Activity Area will be largely maintained, meeting Objective 1.10.2. PAOS have undertaken a comprehensive assessment of the points from where the Site is viewed. They consider that, when looking at all the viewpoints collectively, the overall impact of the proposed plan change is low, as the site is viewed from only a small number of areas, and these views will be in the context of existing residential development. If considered necessary, mitigation measures can be undertaken for areas where the visual impact is higher in the surrounding context.

This alternative is not considered to be as efficient or effective means of achieving the Area Wide objectives.

6.8 General Residential Activity Area Objectives

The proposed plan change is also considered to be in keeping with the objectives specific to the General Residential Activity Area, and therefore the objectives sought for the surrounding residential properties. Those of most relevance are:

Objective 4A 1.1.1 *To maintain and enhance the amenity values and residential character of Residential Character and Amenity Values the General Residential Activity Area of the City.*

Objective 4A 1.2.1 *To avoid, remedy or mitigate adverse effects caused by building height, Building Height, Scale, Intensity and Location intensity and location on the amenity values of adjacent residential sites and the residential character of the surrounding residential area.*

The proposed plan change is considered to be the most appropriate option for achieving these objectives. No deviation to the District Plans rules for the General Residential Activity Area is sought and the amenity values and residential character of adjacent residential properties will be maintained.

The proposed plan change is considered to be an effective and efficient means of achieving these objectives.

6.9 General Recreation Activity Area Objectives

The objectives of the General Recreation Activity Area are:

- Objective 7A 1.1.1 ***Adverse Effects of Recreation Activities on Adjoining Residential Activity Areas***
To ensure that recreation activities have adverse effects which are no more than minor on adjoining residential activity areas.

- Objective 7A 1.1.2 ***Recreation Activities Need to be Compatible With the Characteristics of the Land***
To ensure that recreation activities carried out are compatible with the physical characteristics of the land.

- Objective 7A 1.1.3 ***Regional Parks***
To recognise Belmont Regional Park and East Harbour Regional Park.

- Objective 7A 1.1.4 ***Non-Recreational Activities***
To ensure that non-recreational activities have adverse effects which are no more than minor.

- Objective 7A 1.2.1 ***Scale, Size and External Appearance of Buildings and Structures***
To control the size, scale, character, location and external appearance of buildings and structures.

- Objective 7A 1.2.2 ***Effects of the Hutt River Flood Hazard***
To avoid or mitigate adverse flood hazard effects on new development within areas susceptible to a 100-year flood event from the Hutt River.

The proposed plan change is considered to be a more efficient and effective means of achieving Objective 7A 1.1.2. The proposed improved drainage of the playing field that would be facilitated by the proposed plan change would make the physical characteristics of the playing field more compatible to that use. The alternative option of doing nothing would not enable the funding to be raised to make these drainage improvements.

With respect to the remaining General Recreation Activity Area objectives, it is considered that neither the proposed plan change nor the alternative option will either hinder or enhance their achievement.

6.10 Consultation

Council has undertaken public consultation on its proposal to consider disposal of the Site 54 Oakleigh Street (in total) for residential development. This consultation was undertaken both as a statutory requirement under s138 of the Local Government Act 2002 and as a landowner. It was carried out over the period 06 May 2008 to 18 June 2008 and included informing immediate neighbours by letter and advising them of their rights to submit on the proposal; public notices in the Hutt News of Council's proposal to consider disposal of the identified part of the Site; as well as providing information about the proposal to over a dozen local and neighbourhood groups. In addition, specific consultation was undertaken with the Wellington Tenth's Trust, the Port Nicholson Block Settlement Trust, Te Runanga at Waiwhetu, the Department of Conservation and the Royal Forest & Bird Protection Society of New Zealand. Prior to that opportunities were also provided to the public to submit and speak to Council's Strategy and Policy Committee meeting on 22 April 2008, which formally considered the proposal and recommended to Council the course of action that has led to this District Plan Change application. Information about the proposal was also posted on Council's website and articles were published in the Hutt News.

A total of 17 submissions were received on the proposal to dispose of the former Otanga School sports field site. The majority of submitters (14) were opposed to the proposal to sell and wished to see the land retained for reserve purposes. Two submitters were concerned that the future of the site may have an impact on the neighbouring entrance to the Belmont regional Park. One submission was in support of the proposal.

The following matters were raised in the submissions:

- There is a continued need for flat recreational space in Maungaraki and Council would be shortsighted in disposing of it.
- The land is well used by the local community for a variety of recreational activities.
- Retaining the land for recreation fits with the current policy for promoting active recreation.
- The current state of the reserve (drainage and access problems, and a lack of signage) need to be addressed to improve its potential and use.
- Parts of the land may be unsuitable for housing given that it is partly filled and has major drainage problems.
- Development would result in a possible loss of privacy and lowering of property values.
- With pending (at that time) subdivision of the Otanga School site, the demand for local recreation space of this type will increase.
- The Friends of Belmont Regional Park and Normandale Residents' Association were concerned that any development of this site should be constrained by a requirement to minimise any physical and visual impact on neighbouring Belmont Regional Park.

In response to these submissions, Council decided to retain the southern part of the site as General Recreation Activity Area, and classify it as reserve, and to use part of the proceeds from the potential sale of the area to be rezoned General Residential Activity Area to improve the drainage of that area, and therefore make its use as a recreational area more attractive.

Any impact on the Belmont Regional Park will be minimised by retention of vegetation along the western bank of the site (except for the confined area where right-of-way and stormwater infrastructure may need to pass).

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 rezoning part of the Oakleigh Street Site as General Residential Activity Area. The existing General Residential Activity Area covers a large proportion of the City's residential areas. It is characterised by medium density residential development consisting of single or double storey dwelling houses, open space, gentle topography, and an absence of large scale commercial or industrial activities.

The principal alternative (herein referred to as 'the alternative option') to the proposed plan change is to leave the Sites zoning as it is i.e. largely zoned General Recreation 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 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.

OPTION	EVALUATION
<p>Option 1:</p> <p>Status Quo – leave the Site as currently zoned, being largely <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 limited recreation use and the option for future possible (more intensive) recreation use should (costly) drainage works take place • Retains the existing character of the Site <p><u>Costs:</u></p> <ul style="list-style-type: none"> • All non-recreation uses would require resource consent applications for residential development for which the Council intends to sell the land (subject to the outcome of this proposed plan change process) • Inefficient use of land which is suitable for residential development and has limited recreational use.
<p>Option 2:</p> <p>Rezone the whole Site <i>General Residential Activity Area</i></p> <p><u>NOT RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Enables the development of new residential sections in Maungaraki. • Efficient use of existing infrastructure. • Consistent with surrounding land use. • Most affected vegetation has low amenity value. <p><u>Costs:</u></p> <ul style="list-style-type: none"> • Visual amenity impact from residential development. • Loss of existing, infrequently used, passive recreation area. • Does not recognise the concerns and needs of the local community.
<p>Option 3:</p> <p>Rezone part of the Site <i>General Residential Activity Area</i> (as illustrated by the Plans at Part 4: Appendix One)</p> <p><u>RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Enables the development of new residential sections in Maungaraki. • Efficient use of existing infrastructure. • Consistent with surrounding land use. • Provides for the generation of funds which can then be used to improve the drainage of, and in turn the recreational and amenity value of, the part of the Site to remain as <i>General Residential Activity Area</i> • Allows part of the Site to be used for the designated use denoted on the Title <p><u>Costs:</u></p> <ul style="list-style-type: none"> • Some visual amenity impact from residential development • Loss of some existing, infrequently used, passive recreation area

7.2 The risk of acting or not acting

A section 32 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 rezoning of part of the Site in Oakleigh Street to General Residential will allow the Site to be developed in an appropriate and efficient manner. The recreational use of the Site is currently limited by its poor drainage. However, the income received from the sale of the part of the Site proposed to be rezoned to General Residential Activity Area, will allow drainage works to be undertaken to the part of the Site to remain General Recreational Activity Area, thereby improving its recreational value and increasing its desirability for recreational use. The objectives and policies of the General Residential Activity Area are suitable for the area proposed to be rezoned, as are the rules which will determine development on the Site.

Appendices

- Appendix 1:** Plan of the Site, illustrating the area proposed to be zoned General Residential Activity Area
- Appendix 2:** Operative District Plan Maps A4, B3 and R1
- Appendix 3:** Indicative Development Plan
- Appendix 4:** Assessment of Open Space and Visual Amenity by PAOS
- Appendix 5:** Preliminary Geotechnical Suitability Assessment by Tonkin & Taylor Ltd
- Appendix 6:** Assessment of capacity of existing services by GHD Ltd
- Appendix 7:** Traffic Assessment by Barclay Traffic Planning
- Appendix 8:** Ecological Assessment by Dr Paul Blaschke

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

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

Submission number
OFFICE USE ONLY