

# **Proposed District Plan Change 42**

**38 Manor Park Road, Manor Park  
Zoning as General Residential Activity Area**

**Publicly Notified:**

**27 September 2016**

**Submissions Close:**

**28 October 2016 at 5.00pm**





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## Part 1: Introduction

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### 1. What is proposed Plan Change 42

The purpose of proposed Plan Change 42 is to zone a Hutt City Council (Council) owned parcel of land at 38 Manor Park Road as General Residential Activity Area in the City of Lower Hutt District Plan (the District Plan). The site is a flat parcel located on the corner of Manor Park Road and Ford Road with an area of 792m<sup>2</sup>. The site previously formed part of Manor Park Road but this part of the road was stopped in March 2016 as it was no longer required for the purpose of legal road.

By virtue of District Plan Rule 14A (a) any legal road takes on the zoning provisions of the surrounding properties.

District Plan Rule 14A (a) states:

**(a) Status of Roads**

*The provisions of the activity area where the road reserve is located shall apply. Where the road reserve is between two different activity areas, the centre line of the road reserve will become the boundary between such activity areas.*

Once the status as legal road has been revoked Rule 14A (a) ceases to apply and the fee simple title created has no zoning under the District Plan. The purpose of this Plan Change is to ensure that the site will have a zoning that is compatible with the zoning of adjoining properties and that the use and development of the site will be managed under the existing provisions of the District Plan.

No new District Plan provisions (Objectives, Policies, Rules or Standards) will be introduced and no existing District Plan provisions will be amended as a result of this proposal. The only amendments proposed are to the District Plan Map G1 to reflect the new zoning of the Site.

### 2. Reasons for the proposed Plan Change

The parcel of land subject to this proposed Plan Change is a Council owned property. The site was previously classified as legal road and was stopped as it is no longer required for this purpose.

The parcel is proposed to be zoned as General Residential Activity Area to ensure that any future use of land is consistent with the use of adjoining properties.

### 3. Structure of this Document

This document contains five parts. These are as follows:

<b>Part 1</b>	Introduction
<b>Part 2</b>	Public Notice of proposed Plan Change 42 advertised in the Hutt News
<b>Part 3</b>	Amendments proposed to District Plan Map G1
<b>Part 4</b>	Section 32 Evaluation
<b>Part 5</b>	Copy of the Submission Form (Form 5)

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

#### 4. The Process of Proposed Plan Change 42

The process for preparing proposed Plan Change 42 can be summarized as follows

<b>20 October 2015</b>	Council was made aware of the potential need for a plan change to zone the site should the road stopping proceed.
<b>20 September 2016</b>	Council adopted proposed Plan Change 42 for public notification.
<b>27 September 2016</b>	Proposed Plan Change 42 publicly notified.

Upon notification of the proposed Plan Change, all interested persons and parties have an opportunity to have input through the submissions 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 Public Notice;
- After the closing date for submissions, Council must prepare a summary of the submissions and this summary must be publicly notified;
- Certain persons may make further submissions in support of, or in opposition to, the submissions already made no later than 10 working days after the notification of the summary of submissions;
- If a person making a submission or further submission asks to be heard in support of his/her submission, a hearing must be held;
- Following the hearing the Council must give its decision on the Plan Change in writing (including its reasons for accepting or rejecting submissions); and
- Any person who has made a submission has the right to appeal the Council decision on the Plan Change to the Environment Court.

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## Part 2: Public Notice

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# PUBLIC NOTICE

### Public Notification of Proposed District Plan Change 42 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 42: 38 Manor Park Road, Manor Park Zoning as General Residential Activity Area**

Proposed Plan Change 42 seeks to zone a Hutt City Council owned parcel of land at 38 Manor Park Road as General Residential Activity Area in the City of Lower Hutt District Plan. The site is a flat parcel of land located at the corner of Manor Park Road and Ford Road with an area of 792m<sup>2</sup>. The site was previously identified as legal road in the District Plan but since the road was stopped in March 2016, the site has no zoning. The purpose of this Plan Change is to ensure that the site will have a zoning that is consistent with the surrounding area and that any use and development of the site will be managed under the existing provisions of the District Plan.

Documentation for Proposed Plan Change 42 can be inspected:

- at all Hutt City Council Libraries;
- at the Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt; and
- on Council's website: [huttcity.govt.nz/district-plan-change-42](http://huttcity.govt.nz/district-plan-change-42)

Copies can also be requested by contacting Hutt City Council:

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

#### **Submissions close on Friday 28 October 2016 at 5pm**

Any person may make a submission on proposed Plan Change 42. Submissions may be lodged in any of the following ways:

- Post: Environmental Policy Division, Hutt City Council, Private Bag 31912, Lower Hutt 5040;
- In Person: Council Administration Building, 30 Laings Road, Lower Hutt
- Email: [submissions@huttcity.govt.nz](mailto:submissions@huttcity.govt.nz)
- Online [huttcity.govt.nz/district-plan-change-42](http://huttcity.govt.nz/district-plan-change-42)

Submissions 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 on Council's website.

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

- after the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified; and
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- Hutt City Council must give its decision on the proposal (including its reasons for accepting or rejecting submissions); and
- any person who has made a submission has the right to appeal the decisions on the proposal to the Environment Court.

**Tony Stallinger**  
**Chief Executive**

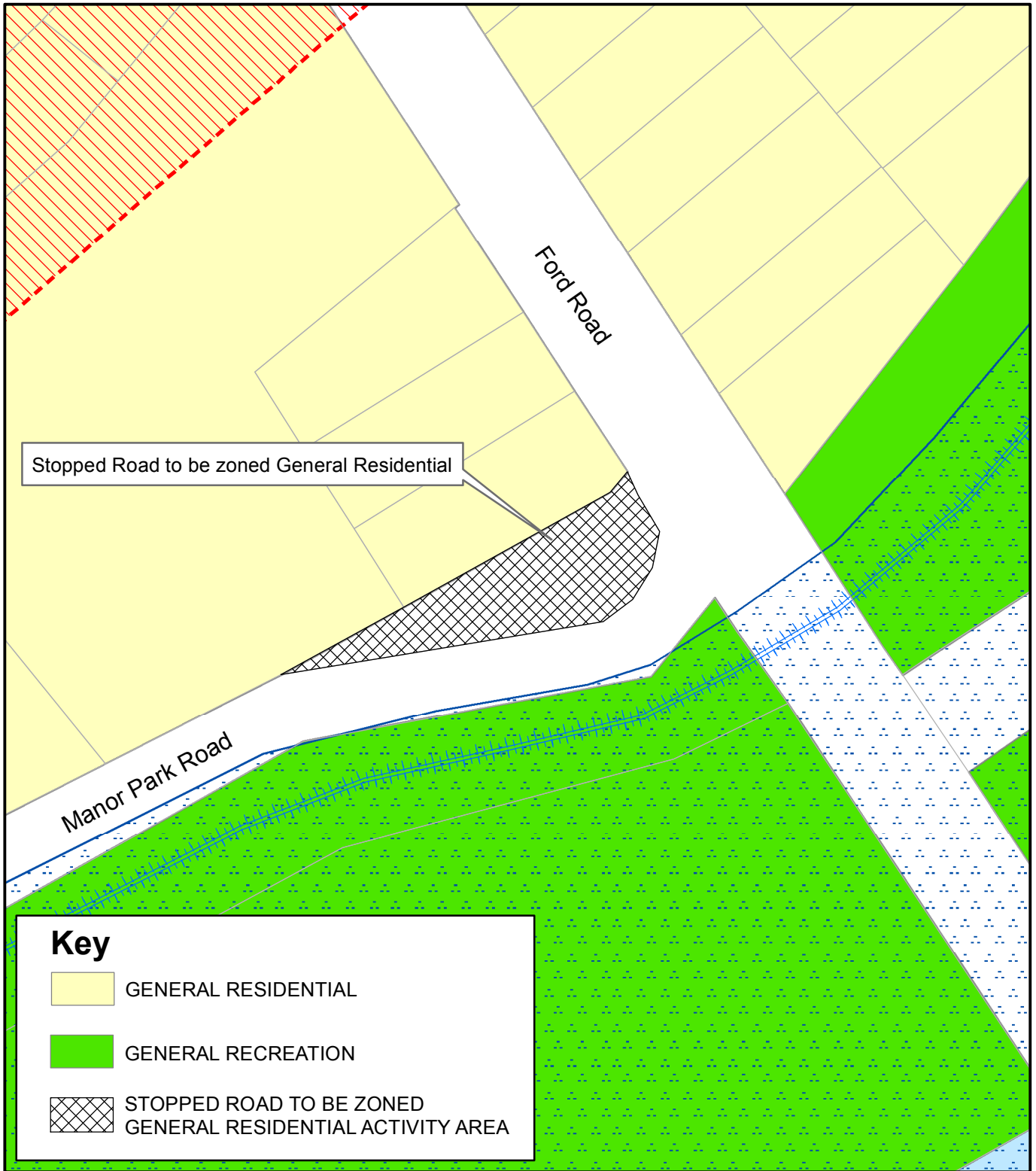
**27 September 2016**



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**Part 3:**  
**Proposed Plan Change 42**  
**Amendments to District Plan Map G1**

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## Proposed Plan Change 42

38 Manor Park Road, Manor Park

Planning Map G1



Scale 1:1,000



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## Part 4: Section 32 Evaluation

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## Introduction

1. Prior to 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:
  - “(1) An evaluation report required under this Act must—*
    - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
    - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
      - (i) identifying other reasonably practicable options for achieving the objectives; and*
      - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
      - (iii) summarising the reasons for deciding on the provisions; and*
    - (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
  - (2) An assessment under subsection (1)(b)(ii) must—*
    - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
      - (i) economic growth that are anticipated to be provided or reduced; and*
      - (ii) employment that are anticipated to be provided or reduced; and*
    - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
    - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*
2. This Section 32 evaluation focuses on the appropriateness of the proposal to zone the site owned by the Hutt City Council (Council) as General Residential Activity Area under the City of Lower Hutt District Plan (the District Plan).

## Description of the Site

### *Physical Description*

3. The area subject to the proposed Plan Change is situated at 38 Manor Park Road. The area of the proposed Plan Change is hereafter referred to as ‘the Site’. The Site is a flat grass berm measuring 792m<sup>2</sup> and is located at the corner of Manor Park Road and Ford Road. The Site contains a bench seat and a footpath passing from south-west to north of the Site.
4. The parcels abutting the Site to the north are privately owned vacant properties that are zoned as General Residential Activity Area. The following figure shows the location of the Site.

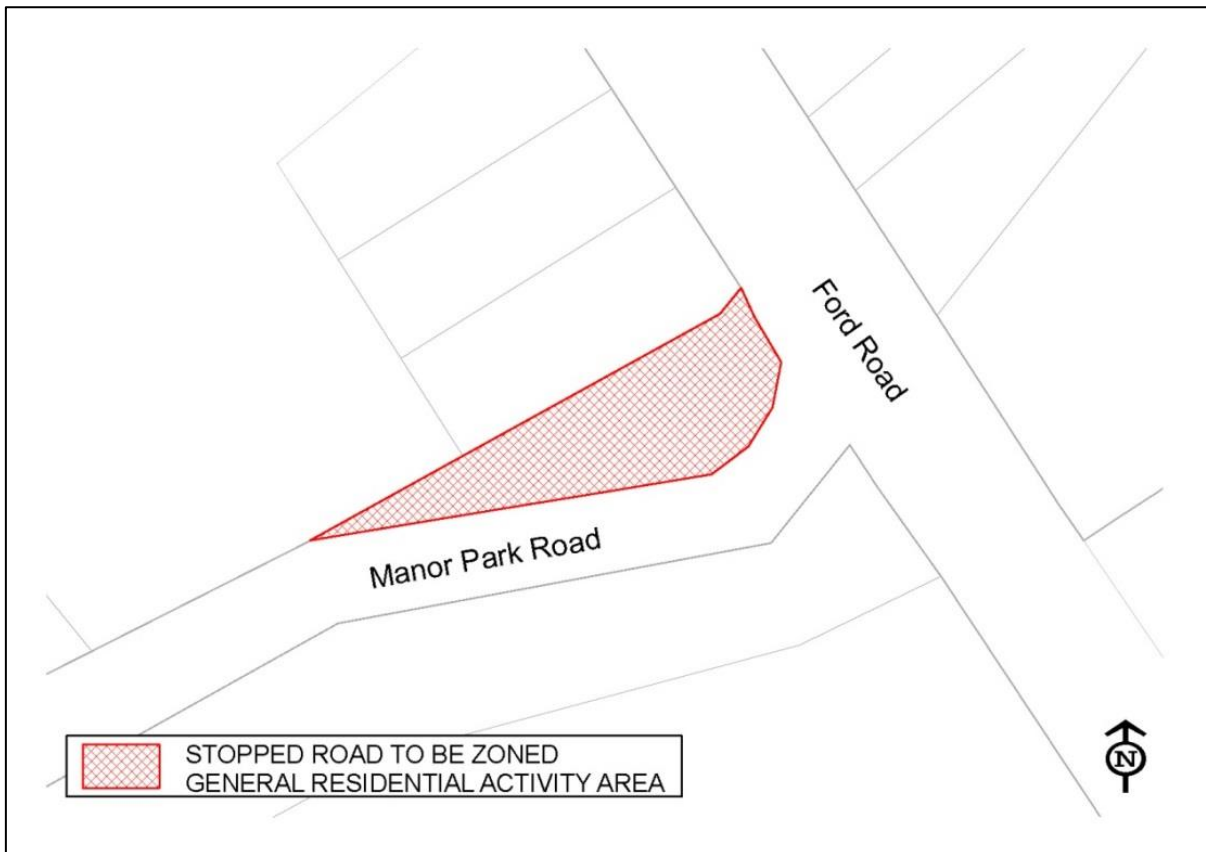


Figure 1: Map of the Site subject to proposed Plan Change 42

### **Legal Description**

5. The Site is legally described as SEC 1 SO 485135 held in CT 740783 which was created as a result of stopping a part of Manor Park Road. The Site is currently owned by Council. A copy of the Certificate of Title is attached as Appendix 1 to this report.

### **Background**

6. The Site is a large grass berm which previously formed part of Manor Park Road. The Site was considered to be surplus to Council's requirements and therefore Council resolved on 16 December 2014 to initiate a road stopping process for the Site.
7. The intention to stop a section of Manor Park Road was publicly notified in the Hutt News on 23 June and 30 June 2015. During the consultation period of 40 days, four objections were received to the proposal. The objections concerned traffic safety, relocation of footpath and the loss of open space provided by the grass berm. Council engaged an independent traffic planning consultant to consider the traffic implications of the proposal and address the issues raised in submissions. The report concluded that there were no traffic grounds for not proceeding with the proposal and therefore Council referred the matter to the Environment Court for a decision. The Environment Court has passed a decision confirming stopping on 29 March 2016, as the objectors indicated that their concerns had been met and that they did not wish to continue with their objections.
8. On 20 October 2015 Council was made aware that the Site created by the road stopping may require a plan change.
9. Road reserves do not have zoning under existing provisions of the District Plan. However, according to District Plan Rule 14A (a), any legal road takes on the zoning provisions of

adjoining properties and the centre line becomes the boundary between different adjoining activity areas. Once the road status of a section of legal road reserve has been revoked, the property created has a fee simple title and is left with no zoning under the District Plan, as Rule 14A (a) no longer applies.

10. Since the section of Manor Park Road subject to this plan change has been stopped, the Site now is fee simple and has no zoning. Therefore, no existing District Plan provisions (objectives, policies or rules) currently apply to the Site.

### Historical Planning Review of the Site

11. A review of the planning history for the Site has been undertaken. The first record of zoning which can be found for this site is the Western Hills Area District Scheme 1988 (before 1988 the area had not been covered by a District Scheme). Under this scheme the site was zoned General Residential. Under the Proposed District Plan the Site was identified as legal road.
12. A review of historic aerials shows that the Site has constantly been vacant since the first aerial documentation in 1941.

### Evaluation of Options

13. Section 32 (1)(b) (i) requires that the evaluation report must:
 

*“Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –*

*(i) Identifying other reasonably practicable options for achieving the objectives;”*
14. The proposed Plan Change seeks to zone the Site to be compatible with the zoning of adjoining properties. The use and development of the Site will be managed under the existing provisions of the District Plan.
15. The following three options have been explored for the best way to achieve the purpose of the proposed Plan Change:
  - Option 1 – Status Quo – No Zone
  - Option 2 – Zone the Site as General Residential Activity Area
  - Option 3 – Zone the Site as General Recreational Activity Area
16. The Section 32 analysis will not address the issue of the potential sale of publicly owned land as this is not a relevant matter which requires consideration under the Resource Management Act 1991.
17. The options identified are discussed below.

<b>Option 1 (O1) – Status Quo – No Zone</b>
<b>Benefits</b>
O1.1 Avoids the costs associated with the plan change process.
<b>Costs</b>
O1.2 Having no zoning on the Site does not comply with the intention of the District Plan because the future use or development of land would not be able to be managed appropriately.

O1.3	Having no zoning is not compatible with the zoning of adjoining properties.
O1.4	Having no zoning creates the risk of enabling significant adverse effects in the use and development of the Site.
<b>Opportunities for Economic Growth and Employment</b>	
O1.5	The Site is currently being used as a grass berm. Economic growth and employment are unlikely to be generated from the current use of the Site.
<b>Efficiency and Effectiveness</b>	
O1.6	The efficiency of Option 1 is low because the costs are higher than the benefits.
O1.7	The effectiveness of Option 1 is low because the purpose of the Plan Change is not achieved.
<b>Overall Assessment of Option 1</b>	
O1.8	Option 1 is not recommended because it does not achieve the purpose of the proposed Plan Change.

<b>Option 2 (O2) – Zone the Site as General Residential Activity Area</b>	
<b>Benefits</b>	
O2.1	Ensures that the Site has a zoning.
O2.2	Provides certainty regarding the future development potential of the Site.
O2.3	Results in a zoning which is compatible with the adjoining properties and the predominantly residential character and amenity values of the local environment.
O2.4	Results in a zoning which allows use of the Site for residential purposes under the existing District Plan provisions, which are well understood.
O2.5	Assists in the implementation of Council’s Urban Growth Strategy, which encourages housing and population growth in appropriate locations.
<b>Costs</b>	
O2.6	The costs associated with the plan change process.
<b>Opportunities for Economic Growth and Employment</b>	
O2.7	Enables the development of the Site for residential use and thereby provides an opportunity for economic growth and employment on a local scale.
<b>Efficiency and Effectiveness</b>	
O2.8	The efficiency of Option 2 is high because the benefits outweigh the costs.
O2.9	The effectiveness of Option 2 is high because the purpose of the proposed Plan Change is achieved.
<b>Overall Assessment of Option 2</b>	
O2.10	Option 2 is recommended because it achieves the purpose of the proposed Plan Change and provides for use and development that is compatible with the local environment.

<b>Option 3 (O3) – Zone the Site as General Recreational Activity Area</b>
<p><b>Benefits</b></p> <p>O3.1 Ensures that the Site has a zoning.</p> <p>O3.2 Allows for the use of the Site for recreational purposes, adding to the existing large recreational strip that is opposite to the Site.</p>
<p><b>Costs</b></p> <p>O3.3 The costs associated with a plan change process.</p> <p>O3.4 Recreational use of the Site is likely to be limited due to its small area.</p> <p>O3.5 There is an opportunity cost of foregoing potential residential development of the Site.</p> <p>O3.6 The Site has been identified as surplus to Council requirements. A recreational zoning would effectively prevent the Site’s divestment.</p> <p>O3.7 The Site would have ongoing costs to Council for maintenance.</p>
<p><b>Opportunities for Economic Growth and Employment</b></p> <p>O3.8 Retains the Site for existing use (a grass berm used by local residents as a small park) as the development of the Site for any other recreational purposes is not feasible due to the small area. Therefore, this option would forgo further development of the Site and would provide for limited recreational activities which are unlikely to provide additional opportunities for growth and employment.</p>
<p><b>Efficiency and Effectiveness</b></p> <p>O3.9 The efficiency of Option 3 is low because the costs are higher than the benefits.</p> <p>O3.10 The effectiveness of Option 3 is high because the purpose of the proposed Plan Change is achieved.</p>
<p><b>Overall Assessment of Option 3</b></p> <p>O3.11 Option 3 is not recommended because it would forgo further development of the Site while enabling only limited recreation potential.</p>

### **Quantification of Benefits and Costs**

18. Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Quantifying the identified costs and benefits for this proposal which is of low to moderate scale and significance would add significant time and cost to the s32 evaluation process. Therefore, the exact quantification of the benefits and costs in this report was not considered beneficial or practicable.

### **The Risk of Acting or Not Acting**

19. Section 32(2)(c) states:

*“An assessment under subsection 1(b)(ii) must –*

- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*

20. In considering the proposal against Section 32 (2)(c) of the Resource Management Act 1991, Council has sufficient information about the subject matter relative to this proposed Plan Change.

### ***Selection of Options***

21. Option 2 – ‘Zone the Site as General Residential Activity Area’ is the recommended option and is a basis to form this proposed Plan Change due to the following reasons:
  - Option 2 is considered the best way to achieve the purposes of both the Act and the proposed Plan Change through effective management of use and development of the Site.
  - Option 2 would allow for residential development consistent with Council’s Urban Growth Strategy.

### **Environmental Effects**

22. This section considers the potential environmental effects occurring as a result of zoning the Site as General Residential Activity Area. An assessment of the potential environmental effects of the proposed Plan Change contributes to the overall evaluation of whether the proposed zoning of the Site is appropriate in terms of achieving the purpose of the Act.
23. The potential environmental effects of the proposed Plan Change are likely to relate to amenity values and character, traffic and infrastructure. Each of these matters has been addressed in the following sub-sections.

### ***Amenity and Character Effects***

24. Under the current provisions of the District Plan road reserves are displayed as legal road but do not have a zoning. Rule 14A (a) of the District Plan states that the provisions of the activity area adjoining to the road shall apply and that the centre line of the road reserve will become the boundary between different adjoining activity areas. By virtue of this rule the Site has been taking on the zone provisions of the adjoining properties which are General Residential Activity Area up to the centre line. However since the legal road has been stopped, Rule 14A (a) no longer applies and the Site does not have a zoning and no provisions of the District Plan apply.
25. The proposed Plan Change seeks to zone the Site as General Residential Activity Area. This zoning would be compatible with the zoning of the surrounding properties and would ensure that activities which are compatible with the character of the local environment can be undertaken on the Site.
26. Zoning the Site as General Residential Activity Area and the permitted activity conditions for this activity area would further ensure that any future development on the Site would be compatible with the density, size and scale of any development in the surrounding environment. The provisions of Chapter 4A (General Residential Activity Area) of the District Plan would control future activities including the bulk and location of buildings. The existing provisions of the District Plan are not subject to any changes as part of this proposed Plan Change.

## **Traffic Effects**

27. As part of the road stopping process Council consulted with the public and received four submissions in opposition. The objections raised were mostly regarding reduced visibility, safety of driveway manoeuvres and pedestrian access relocation. Council engaged an independent traffic planning consultant, Barclay Traffic Planning, to assess the traffic effects caused by the road stopping. The traffic engineering report (Council Reference TRIM DOC/15/127141) concluded that the Site has adequate sight distances and the existing development controls of the District Plan would ensure safe operation. The submitters confirmed that their concerns had been addressed and they no longer objected to the proposal. The Environment Court approved the road stopping proposal.
28. The proposed Plan Change will ensure that the Site has a zoning under the District Plan and any future development on the Site will be subject to the relevant transport provisions of the District Plan. These rules and permitted activity conditions include parking, turning and driveway separation standards. If these standards were not met by a particular development proposal, the development would be subject to resource consent and any resulting traffic effects would be considered as part of the application. In respect of traffic and parking that would be generated from potential development, the traffic assessment concluded that the proposal can achieve full compliance with the District Plan.

## **Infrastructure Effects**

29. The Site currently forms part of the street berm of Manor Park Road. Existing services are:
  - a footpath crossing the Site;
  - a HVVWC Sewer Network Pipe on the southern part of the Site;
  - a local sewer pipe crossing the Site connecting the undeveloped properties to the north; and
  - a private water supply pipe crossing the western end of the Site.
30. The existing footpath will need to be closed and a new footpath will need to be laid outside the Site.
31. The Sewer Network Pipe has been protected by an easement (Appendix 2).
32. The local sewer and private water supply pipes would need to be considered during any development of the Site.
33. Wellington Water has confirmed that the existing water services infrastructure has the capacity to cater for the level of permitted activity residential development enabled by the proposed Plan Change (TRIM DOC/16/123634).
34. Should the Site be incorporated into a larger development involving neighbouring land, subdivision consent would be required and the potential effects on infrastructure would be considered as part of the subdivision process.
35. *The location of other services (power, gas and telecommunication) in relation to the Site is currently being investigated.*

## **Conclusion**

36. Overall, any potential adverse effects of the proposed Plan Change can be adequately managed by the existing provisions of Chapters 4A (General Residential), 11 (Subdivision), 14A (Transport) of the District Plan.



## Policy Analysis

### **Resource Management Act 1991**

37. A section 32 evaluation includes analysis of how the proposed Plan Change achieves the purpose and principles contained in Part 2 (sections 5-8) of the Resource Management Act 1991 (the Act).

#### **Section 5 – Purpose**

38. Section 5 sets out the purpose of the Act, which is to promote the sustainable management of natural and physical resources. Section 5 further states:

*“(2) In this Act, 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; and*
- (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.”*

39. The Site has been identified as being surplus to Council's requirements, as it is no longer required for the purpose of legal road. Therefore, it has been decided to stop the road and allow for the development of the Site.
40. The proposed Plan Change will ensure that the Site is zoned as General Residential Activity Area and the relevant provisions of the District Plan apply to the Site and enable its development. The proposed zoning is consistent with the zoning of adjoining properties and will ensure that any future development of the Site is compatible with the amenity values and character of the surrounding environment.
41. Thus, the proposal is considered to be consistent with Section 5 of the Act.

#### **Section 6 – Matters of National Importance**

42. Section 6 of the Act sets out the matters of national importance which are required to be recognised and provided for when managing the use, development and protection of natural and physical resources. The proposed Plan Change is considered to be consistent with Section 6 of the Act for the following reasons:
- The Site is not situated within the coastal environment, it does not contain a wetland, lake or river, and it is not on the margin of any of those.
  - The Site is highly modified and does not contain any outstanding natural features or landscapes, significant indigenous vegetation or significant habitats of indigenous fauna.
  - The District Plan does not identify any Significant Cultural Resources on the Site.
  - The District Plan does not identify any heritage buildings or structures on the Site.

#### **Section 7 – Other Matters**

43. Section 7 of the Act outlines a list of matters that should be given particular regard to in achieving the purpose of the Act. The matters that are most relevant to the proposed Plan Change are:

- “(b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values; and*
- (f) maintenance and enhancement of the quality of the environment.”*

44. The proposed Plan Change is considered to be consistent with Section 7 due to the following reasons:

- The Site, which was a part of Manor Park Road was stopped as it is no longer required for the purpose of legal road. In order to enable development of the Site the proposed Plan Change seeks to zone the Site as General Residential Activity Area. Thus, the proposed Plan Change enables the efficient use and development of a parcel of land.
- The zoning as ‘General Residential Activity Area’ is compatible with the zoning of the adjoining properties and will ensure that future development is compatible with the amenity values and character of the local environment.
- In regards to maintaining the quality of the environment, the proposed Plan Change would not result in any significant modification or changes to the surrounding environment

### **Section 8 – Treaty of Waitangi**

45. Section 8 of the Act requires that the principles of the Treaty of Waitangi are taken into account.
46. No Treaty issues associated with the proposed Plan Change have been identified. Relevant iwi authorities are being consulted as part of this Plan Change process.

### **National Policy Statements**

47. No National Policy Statements are relevant to this proposed Plan Change.

### **Regional Policy Statement**

48. The Regional Policy Statement (RPS) identifies significant resource management issues of the region and outlines the policies and methods intended to achieve the integrated sustainable management of the region’s natural and physical resources.
49. The objectives and policies that are most relevant to the proposed Plan Change are:

#### **Objective 22**

*“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;*
- (k) efficient use of existing infrastructure (including transport network infrastructure)”*

#### **Policy 58**

*“Co-ordinating land use with development and operation of infrastructure – consideration.”*

50. This Policy requires that when considering a plan change particular regard is given to whether a proposed subdivision, use or development is located and sequenced to –
- “(a) make efficient and safe use of existing infrastructure capacity; and/or*
  - (b) coordinate with the development and operation of new infrastructure”*

51. Objective 22 and Policy 58 are relevant to the proposed Plan Change because the Site is located within the urban environment and can be serviced using existing infrastructure. The proposed Plan Change will ensure that the Site is zoned as General Residential Activity Area. This proposed zoning is consistent with the zoning of the adjoining properties and the surrounding urban form which is predominantly residential in character.
52. Thus, proposed Plan Change is considered to be consistent with the objectives and policies of the RPS.

### ***Regional Plans***

53. There are no particular Regional Plans that are relevant to the proposed Plan Change or that need to be analysed further in this report.
54. The Proposed Natural Resources Plan for the Wellington Region (PNRP) has been considered during this analysis. No particular provisions of PNRP are relevant to the proposed Plan Change.

### ***Wellington Regional Strategy***

55. 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 the 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.
56. The proposed Plan Change is consistent with the community outcomes sought through the WRS.

### ***Consistency with Surrounding District Plans***

57. Section 74(2)(c) of the Act requires Council to have regard to the extent to which the proposed Plan Change needs to be consistent with the plans and proposed plans of adjacent authorities.
58. The Site of the proposed Plan Change is a small area of land which is not located near the boundaries of the City of Lower Hutt. Therefore, the proposed Plan Change will have no effect on the plans or the proposed plans of adjacent territorial authorities and will not be inconsistent with them.

### ***City of Lower Hutt District Plan***

#### **Area Wide Objectives of the District Plan**

59. Chapter 1 of the District Plan identifies the area wide objectives which the District Plan seeks to achieve. The area wide objectives and policies that are considered to be relevant to the proposal are from District Plan sections:
  - 1.10.1 Resource Management with Tangata Whenua of Lower Hutt
  - 1.10.2 Amenity Values
  - 1.10.3 Residential Activity
60. The proposed Plan Change ensures that the Site has a General Residential Activity Area

zoning under the District Plan. This proposed zoning is consistent with the zoning of adjacent properties, which thereby would result in maintaining the general character and amenity values of the local environment. Council is consulting with tangata whenua as part of this plan change process. Thus the proposed Plan Change is considered to be consistent with the relevant area wide objectives and policies of the District Plan.

### **Specific District Plan Objectives and Policies - General Residential Activity Area Objectives and Policies**

61. The provisions of the Chapter 4A (General Residential Activity Area) are considered to be appropriate for the Site in terms of achieving the purpose of the Act, in that the provisions of Chapter 4A 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 Chapter 4A as part of this proposed Plan Change. With regard to their effectiveness and efficiency, the existing policies and rules of Chapter 4A are considered the most appropriate for achieving the objectives and it is appropriate to apply them to the Site.
62. The existing provisions of Chapter 4A along with the subdivision provisions and general rules of the District Plan are sufficient to ensure that the amenity values and the character of the surrounding area are maintained and that any adverse effects on the environment are avoided, remedied or mitigated.

### **Other Strategies and Plans**

63. Council has a number of strategies and plans that detail the priorities for the City. The ones that are relevant to the proposed Plan Change are namely:
  - Long Term Plan (LTP) 2015;
  - Economic Development Plan 2015 – 2020;
  - Environmental Sustainability Strategy 2015 - 2045;
  - Urban Growth Strategy 2012 - 2032.
64. The proposed Plan Change is considered to be consistent with the outcomes sought under the listed relevant strategies and plans.

### **Consultation**

65. In accordance with the Schedule 1 Clause 3 of the Resource Management Act 1991, the following statutory authorities have been consulted as part of this proposed Plan Change process:
  - Greater Wellington Regional Council
  - Ministry for the Environment
  - Porirua City Council
  - South Wairarapa District Council
  - Upper Hutt City Council
  - Wellington City Council
  - Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
  - The Wellington Tenths Trust

- Palmerston North Maori Reserve Trust
  - The Port Nicholson Block Settlement Trust
  - Te Runanga o Toa Rangatira Inc.
66. The statutory authorities will also have the opportunity to lodge formal submissions when the proposed Plan Change is publicly notified.

## Summary

67. The section of Manor Park Road situated on the corner of Manor Park Road and Ford Road, was stopped as it was no longer required for the purpose of road.
68. As a result of the road stopping process, Rule 14A (a) no longer applies and the Site is left with no zoning under the District Plan. The proposed Plan Change seeks to zone the Site as General Residential Activity Area so that the Site will have a zoning that is compatible with the zoning of the adjoining properties and that the use and development of the Site will be managed under the existing provisions of the District Plan. Therefore, as a result of this proposed Plan Change the provisions of Chapter 4A of the District Plan would apply to the Site.
69. The evaluation undertaken for this proposed Plan Change has included an assessment of environmental effects resulting from the proposed zoning of the Site as General Residential Activity Area and the subsequent development that will be enabled by this zoning. The proposed General Residential Activity Area zoning is compatible with the zoning of the surrounding properties in the immediate vicinity. The proposed zoning would allow for future development of the Site in a manner which is in keeping with the amenity values of the local environment.
70. A policy analysis of the relevant national, regional and local policies and plans has been undertaken. The proposed Plan Change is consistent with the objectives and policies of the relevant planning documents. The proposed zoning as General Residential Activity Area and the relevant provisions enable an appropriate level of future development on the Site while managing the adverse effects on the environment. No changes are proposed to the District Plan provisions as part of the proposed Plan Change.
71. The costs and benefits of the proposed Plan Change have been assessed against the purpose of the Resource Management Act 1991 (the Act). This report evaluates the costs and benefits of three identified options and the recommended option (Option 2 – Zone the Sites as General Residential Activity Area) has been identified as the most appropriate in terms of achieving the purpose of the Act. Overall the proposed Plan Change is consistent with the purpose and principles of the Act.

## Documents Referenced

- Policy and Regulatory Committee Report TRIM DIV 15/1227
- Traffic Engineers Report TRIM DOC/15/127141

## Appendices

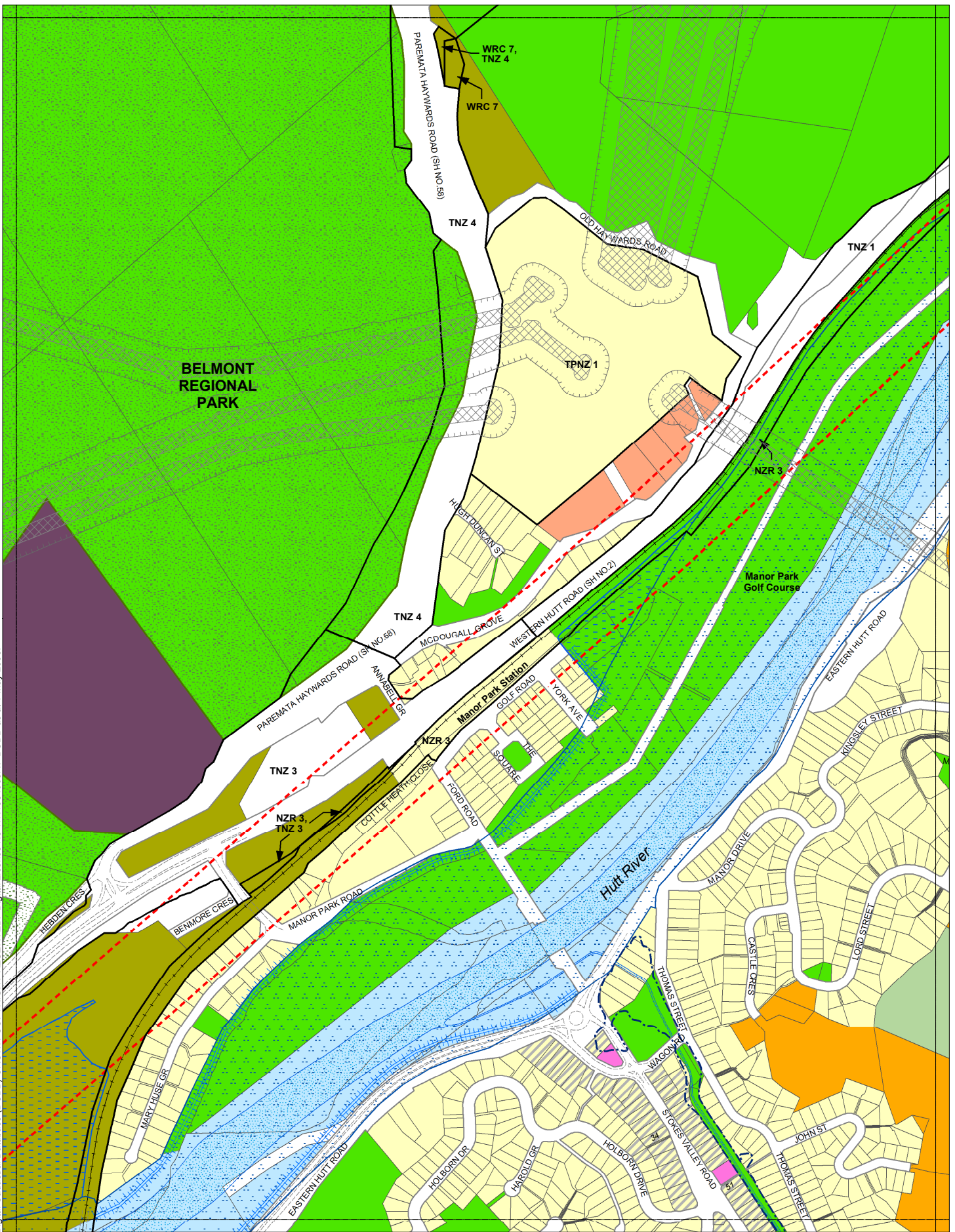
- **Appendix 1:** Operative District Plan Map G1
- **Appendix 2:** Certificate of Title



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## Appendix 1: Operative District Plan Map G1

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**ACTIVITY AREAS**

General Residential	Central Commercial	Extraction
Special Residential	Petone Commercial	General Recreation
Historic Residential	Suburban Commercial	Special Recreation
Hill Residential	Special Commercial	River Recreation
Landscape Protection	General Business	Passive Recreation
Rural Residential	Special Business	Community Health
General Rural	Avalon Business	Community Iwi

**ANNOTATIONS**

City Boundary	Regional/Forest Park
Designation	Heritage Area
Medium Density Residential	Primary River Corridor
Wellington Faultline	Secondary River Corridor
Special Study Area	1 in 100 Year Flood Extent
Hydraulic Line	Building Setback Line
Flood Protection Bank	Notable Tree
Railway Line	Historic Place
National Grid Corridor	National Grid Yard

Updated 8 June 2016



F1	H1
F2	H2

**District Plan - City of Lower Hutt**

Scale 1:6000 at A3

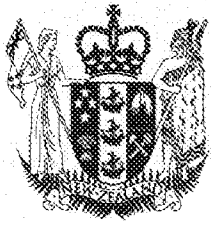
**G1**



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## Appendix 2: Certificate of Title

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**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



  
R. W. Muir  
Registrar-General  
of Land

**Search Copy**

**Identifier** 740783  
**Land Registration District** Wellington  
**Date Issued** 08 June 2016

**Prior References**

SR 10457255.1

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**Estate** Fee Simple  
**Area** 792 square metres more or less  
**Legal Description** Section 1 Survey Office Plan 485135

**Proprietors**

Hutt City Council

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**Interests**

Subject to a right (in gross) to drain sewage over part marked A on SO 485135 in favour of Hutt City Council created by Easement Instrument 10457255.2 - 8.6.2016 at 9:31 am



# Title Plan - SO 485135

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**Survey Number** SO 485135  
**Surveyor Reference** 28633 HCC  
**Surveyor** Christopher Daniel Rodie  
**Survey Firm** Cuttriss Consultants Ltd (Lower Hutt)  
**Surveyor Declaration** I Christopher Daniel Rodie, being a licensed cadastral surveyor, certify that:  
(a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and  
(b) the survey was undertaken by me or under my personal direction.  
Declared on 26 Mar 2015 03:48 PM

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## Survey Details

**Dataset Description** Section 1  
**Status** Approved as to Survey  
**Land District** Wellington  
**Submitted Date** 26/03/2015  
**Survey Class** Class A  
**Survey Approval Date** 15/04/2015  
**Deposit Date**

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## Territorial Authorities

Lower Hutt City

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## Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Section 1 Survey Office Plan 485135	Legalisation	0.0792 Ha	
Area A Survey Office Plan 485135	Easement		
	Road		
<b>Total Area</b>		<hr/> 0.0792 Ha	

<b>Plan Number</b>	SO 485135
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<b>Schedule of Easements</b>			
<b>Purpose</b>	<b>Shown</b>	<b>Servient Tenement</b>	<b>Grantee</b>
Right to drain sewage in gross	A	Section 1	Hutt City Council



Diag. A

Lot 2 DP 81338

Lot 3 DP 81338  
CFR W4484/113

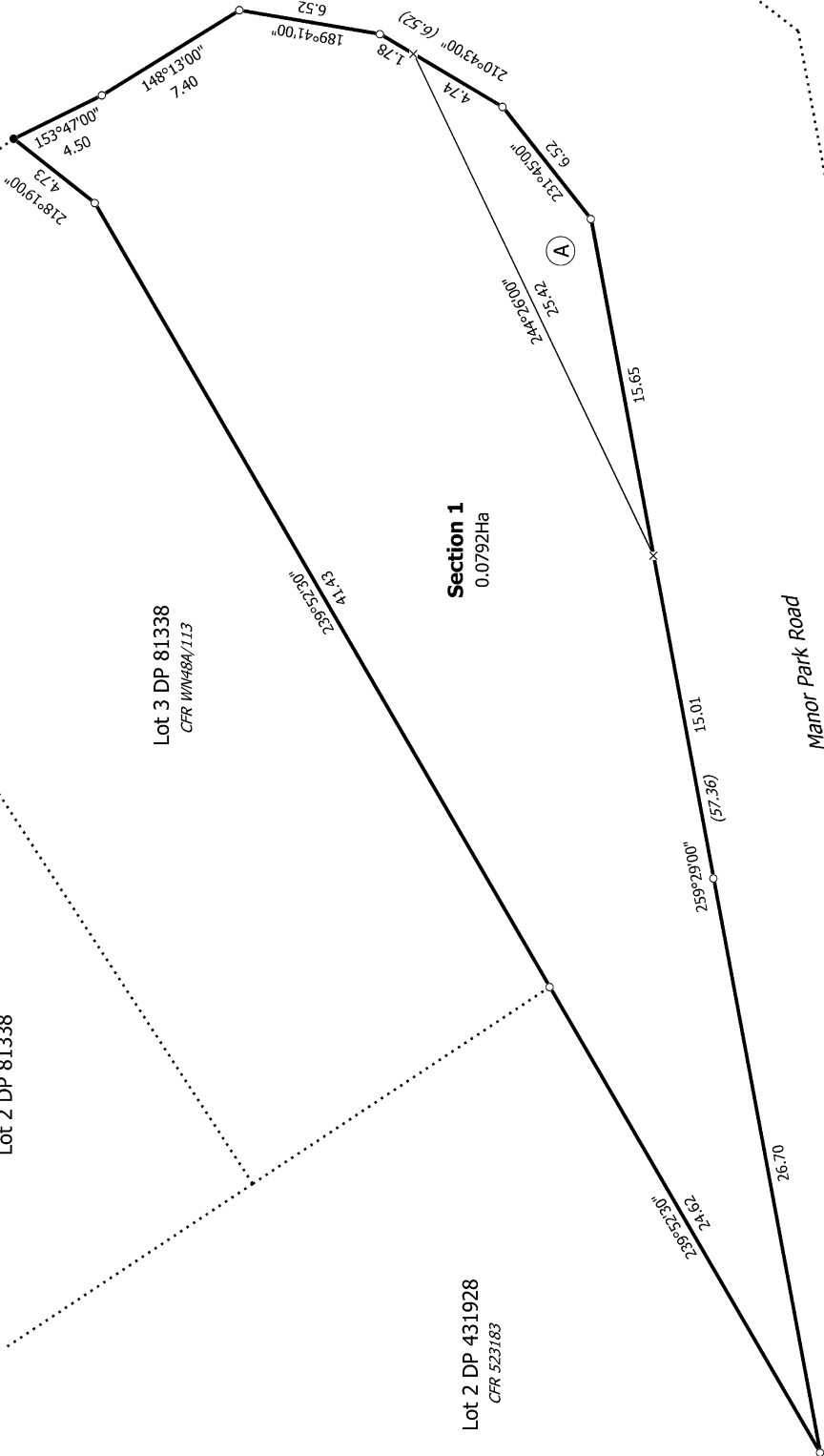
Lot 2 DP 431928  
CFR 523183

Section 1  
0.0792Ha

Lot 1 DP 21131

Ford Road

Manor Park Road



T 1/1

Land District: Wellington

Digitally Generated Plan  
Generated on: 15/04/2015 09:45am Page 3 of 3

Section 1

Surveyor: Christopher Daniel Rodie  
Firm: Cuttriss Consultants Ltd (Lower Hutt)

Title Plan  
SO 485135  
Approved on: 15/04/2015

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## Part 5: Submission Form

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# Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

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

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

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

**Proposed District Plan Change No:**

**Title of Proposed District Plan Change:**

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

*Please give details:*

*(Please use additional pages if you wish)*

4. My submission is:

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

*(Please use additional pages if you wish)*

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

*Give precise details:*

*(Please use additional pages if you wish)*

6. I  **wish**  **do not wish** to be heard in support of my submission.  
*(please tick one)*

7. If others make a similar submission,  
I  **will**  **will not** consider presenting a joint case with them at the hearing.  
*(please tick one)*

Signature of submitter:

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

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submission number   
OFFICE USE ONLY