

Proposed District Plan Change 28

PARKSIDE ROAD, GRACEFIELD
ZONING AS GENERAL BUSINESS ACTIVITY AREA

Publicly Notified:
Submissions Close:

27 March 2012
27 April 2012 at 5.00pm

Part 1: Introduction

1. What is Proposed Plan Change 28

The purpose of Proposed Plan Change 28 is to zone a Hutt City Council (Council) owned parcel of land on Parkside Road, Gracefield as General Business Activity Area in the City of Lower Hutt District Plan (The District Plan). The parcel of land is situated on the eastern side of the junction of Bell Road South and Parkside Road and is currently classified as legal road. The site has an area of approximately 3076m² and is largely flat. The Waiwhetu Stream is located to the north west of the property.

District Plan Rule 14A (a) states that:

(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.

By virtue of this rule the site currently takes on the zoning of the adjoining properties to the north and south which are zoned as General Business Activity Area in the City of Lower Hutt District Plan. Once the legal road on the site is stopped, the property will revert back to a fee simple title with no zoning as Rule 14A (a) would no longer apply. The purpose of this plan change is to ensure that once the legal road is stopped, the site will have a zoning which is consistent with its current use, the zoning of adjoining properties and the amenity values and character established in the surrounding area.

No new District Plan provisions e.g. objectives, policies, rules or standards will be introduced as a result of this proposal. The only amendments which will need to be made will be to the District Plan maps to reflect the new zoning of the site.

2. Reasons for the Proposed Plan Change

Since 2007, Council has been undertaking a review of all of the land it holds in fee simple title throughout the city. The objective is to ensure that all of Council owned land is being used for its best purpose.

The site was included in the review as it was no longer required for the purpose for which it was acquired – being legal road. The parcel of land has been leased from Council for the last 25 years by the businesses which operate from 6 Bell Road South (formerly Feltex and currently Canterbury Spinners Limited). The land appears to be treated as part of 6 Bell Road South as the site is fenced off and access is controlled by large gates which are near the street entrance.

It is the intent of Council to declare the land surplus subject to the outcomes of the road stopping process and the plan change process and offer it for sale. In order for the land to be continuously used for purposes which are consistent with the use of adjoining properties once the road is formally stopped it is proposed to zone the site as General Business Activity Area.

3. Structure of this Document

This document contains five parts. These are as follows:

Part 1	Introduction
Part 2	Copy of the public notice of Proposed Plan Change 28 which was advertised in the Hutt News on 27 March 2012
Part 3	Amendment proposed to the District Plan Maps
Part 4	Copy of the <i>Section 32 Evaluation</i> prepared for Proposed Plan Change 28, as required by Section 74 of the Resource Management Act 1991
Part 5	Copy of the submission form (Form 5)

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

4. The Process of Proposed Plan Change 28

The process for preparing Proposed Plan Change 28 can be summarised as follows

14 April 2010	The Strategy and Policy Committee directs officers to initiate the road stopping process with the intent of declaring the land surplus for disposal and to initiate the preparation of a Plan Change
26 April 2010	Consultation was undertaken with relevant parties.
13 March 2012	Proposed Plan Change 28 adopted by Council for public notification
27 March 2012	Proposed Plan Change 28 publicly notified

Upon notification of the proposed plan change, all interested persons and parties have an opportunity to have further input through the submission process. The process for public participation in the consideration of this proposal under the Resource Management Act 1991 is as follows:

- The period in which submissions may be made is 20 working days from the date of the Public Notice;
- After the closing date for submissions, Council must prepare a summary of the submissions and this summary must be publicly notified;
- 10 working days after the notification of the submissions there is then the opportunity to make a further submission in support of, or in opposition to, the submissions already made;
- If a person making a submission asks to be heard in support of their submission, a hearing must be held;
- Council must give its decision on the proposal in writing (including its reasons for accepting or rejecting submissions) following the hearing; and
- Any person who has made a submission has the right to appeal the Council decision on the proposal to the Environment Court.

Part 2: Public Notice

PUBLIC NOTICE

Public Notification of Proposed District Plan Changes 26, 27 and 28 to the City of Lower Hutt District Plan

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

Hutt City Council has prepared the following plan changes:

PROPOSED PLAN CHANGE 26 – 30 SHAFTESBURY GROVE, STOKES VALLEY REZONING OF A PART OF THE SITE AS GENERAL RESIDENTIAL ACTIVITY AREA

Proposed Plan Change 26 proposes to rezone part of the property at 30 Shaftesbury Grove, Stokes Valley (Lot 2 DP 433614, Certificate of Title 527910) which is owned by Urban Plus Ltd (a Council Controlled Organisation) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change will enable subdivision and development of a part of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan. The remaining part of the site will be retained as General Recreation Activity Area.

PROPOSED PLAN CHANGE 27 - 151 HOLBORN DRIVE, STOKES VALLEY REZONING OF PART OF THE SITE AS GENERAL RESIDENTIAL ACTIVITY AREA

Proposed Plan Change 27 proposes to rezone part of the Council owned land at 151 Holborn Drive, Stokes Valley (Part Lot 3 DP 20917 and Part Lot 8 DP 20501, Certificate of Title WNB3/881 and Part Section 199 Hutt District (SO 10500), Certificate of Title WN966/66) as General Residential Activity Area. At present the land is zoned General Recreation Activity Area. The proposed plan change will enable subdivision and development of part of the site for residential activity to the extent provided for by the General Residential Activity Area provisions of the District Plan. The remaining part of the site will be retained as General Recreation Activity Area.

PROPOSED PLAN CHANGE 28 – PARKSIDE ROAD, GRACEFIELD ZONING AS GENERAL BUSINESS ACTIVITY AREA

Proposed Plan Change 28 proposes to zone a parcel of Council owned land at the intersection of Parkside Road and Bell Road South in Gracefield as General Business Activity Area. At present the land is identified as road in the District Plan and has no zoning. Council is currently initiating the process of stopping the legal road on this site and the proposed plan change will ensure that the land will have a zoning when the legal road is stopped and that this zoning is consistent with its current use and the zoning of adjoining properties.

Documentation for Proposed Plan Changes 26, 27 and 28 can be inspected at:

- All Hutt City Council Libraries; and
- Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt.

Alternatively, copies of the documentation are available on the Council website:

- <http://www.huttcity.govt.nz/Your-Council/Plans-and-publications/District-Plan/District-Plan-changes/>

Copies can also be requested by contacting Hutt City Council:

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

Submissions close on FRIDAY 27 April 2012 at 5.00pm

Any person may make a submission on Proposed Plan Changes 26 to 28. You may do so by sending a written submission to Council:

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

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

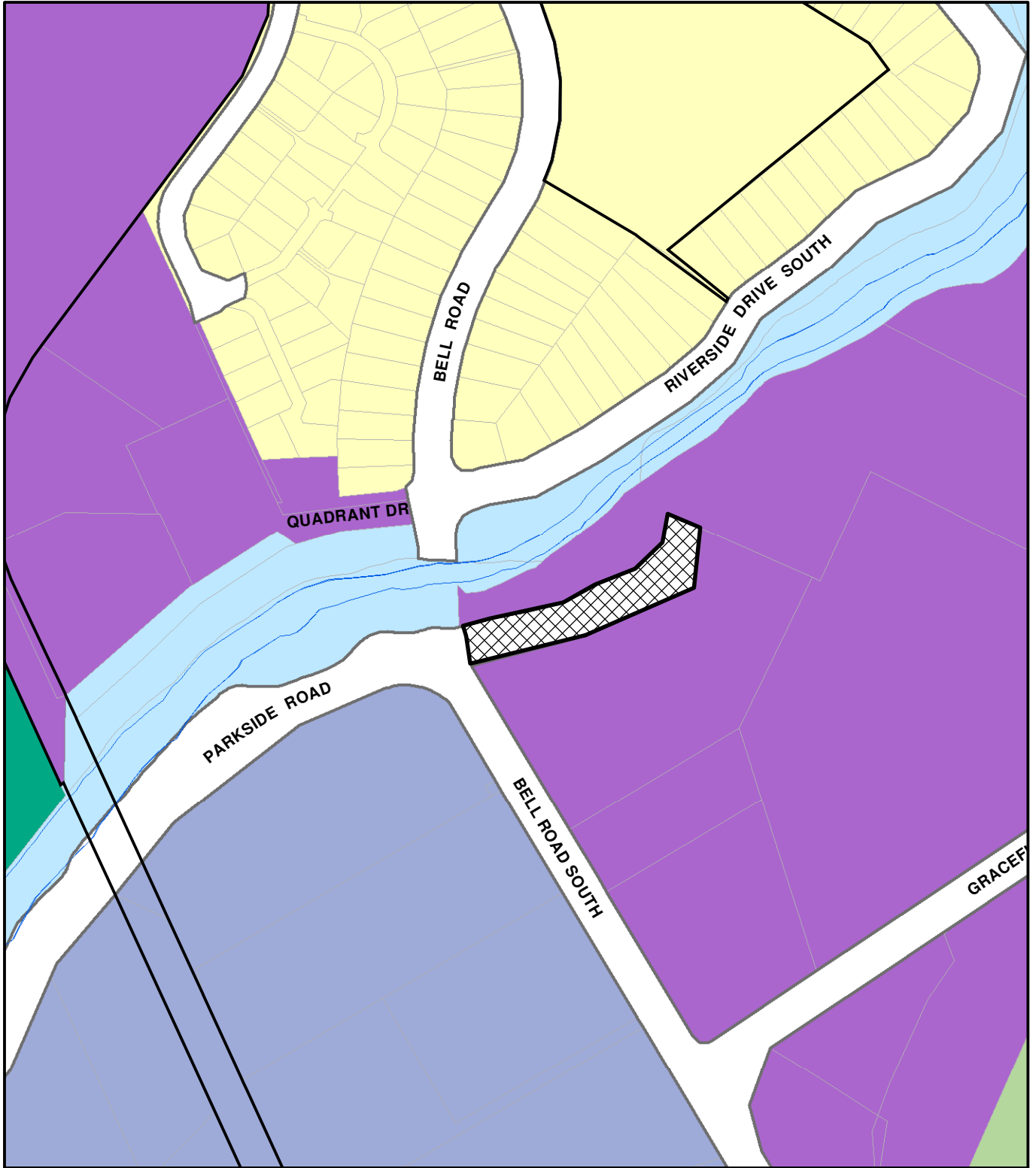
The process for public participation in the consideration of this proposal under the Act is as follows:

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

Tony Stallinger
Chief Executive

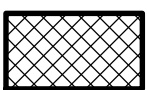
27 March 2012

Part 3:
Proposed Plan Change 28
Amendments to District Plan Map



Proposed Plan Change 28

Parkside Road, Gracefield (Legal Road to be stopped)



Land to be zoned General Business Activity Area

Planning Map C5



Part 4: Section 32 Evaluation

1. INTRODUCTION

Prior to the public notification of a plan change, Section 32 of the Resource Management Act 1991 (the Act) requires Council to undertake an evaluation of the proposed plan change, and to prepare a report outlining the basis and outcome of the evaluation. The purpose of the evaluation is to assess the benefits and costs of the proposed plan change against the purpose of the Act. Section 32 of the Act states:

- (3) *An evaluation must examine—*
 - (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *An evaluation must take into account—*
 - (a) *The benefits and costs of policies, rules, or other methods; and*
 - (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

This Section 32 report focuses on the appropriateness of the proposal to zone the site owned by Hutt City Council as General Business Activity Area under the City of Lower Hutt District Plan. The Section 32 analysis will not address the issue of the sale of publicly owned land as this is not a relevant matter which requires consideration under the Resource Management Act 1991.

2. DESCRIPTION OF THE SITE

2.1 Physical Description

The area proposed to be zoned as General Business Activity Area is situated on the eastern side of Bell Road South adjacent to the junction with Parkside Road and is hereafter referred to as 'the Site'. The Site has an area of 3057m², is largely flat and the majority of the property is sealed. The northern portion of the property contains several medium height trees. Located to the north west of the property is the Waiwhetu Stream.

The Site has been leased from Council for the last 25 years by the businesses which operate from 6 Bell Road South (formerly Feltex and currently Canterbury Spinners Limited). The Site is currently used for car parking and servicing by Canterbury Spinners Limited, and access to the Site is controlled by large gates which are near the street entrance. Only one other property shares a boundary with the Site, being 69 Gracefield Road.

2.2 Legal Description

In 1928, the Site was part of a proclamation that declared an area of land to be Crown land. On 20 September 1948 the site was created by virtue of a proclamation under Section 12 of the Land Act 1924 (Appendix 3 contains a copy of the Proclamation). The proclamation declared the site to be street. The area of the site subject to the proclamation was approximately 3076m². The Site is currently legal road.

3. HISTORICAL PLANNING REVIEW OF THE SITE

A review has been undertaken of the previous Hutt County District Schemes, the Transitional District Plan, the Proposed District Plan and the Operative District Plan. These documents identify that the Site has been zoned (or identified) as legal road from 1961 through to the present day. A review of these planning documents confirms that there have been no special notations or restrictions identified for this Site during this time period which could affect this proposed plan change.

4. BACKGROUND

Since 2007, Council has been undertaking a review of the land it holds throughout the City. The objective is to ensure that all Council owned land is being used for its best purpose. The review includes an assessment of the requirement for the Council to keep the Site for its intended purpose (being road). The Hutt City Council Strategy and Policy Committee (now Policy Committee) reviews these reports and makes a recommendation on the future of each site.

The Site has been identified as being surplus to requirements by the Hutt City Council Strategy and Policy Committee. The process for stopping the road has been initiated and will be undertaken under the Public Works Act 1981. Once the road has been formally stopped, the Site (in its current form) would not have any zoning under the District Plan (as the provisions of Chapter 14A (a) only apply to legal road). The proposed plan change will ensure that the Site will be zoned General Business Activity Area once the road has been stopped. It is Council's intention to sell the Site once it is zoned General Business Activity Area and the legal road has been stopped.

5. ENVIRONMENTAL EFFECTS

This section considers the potential environmental effects resulting from zoning the Site as General Business Activity Area. An assessment of the potential environmental effects of the proposed plan change contributes to the overall evaluation of whether zoning the Site General Business Activity Area is appropriate in terms of achieving the purpose of the Act.

The potential environmental effects of the proposed plan change are likely to relate to amenity values and character, traffic, effects on infrastructure and effects relating to flooding. Each of these matters has been addressed in the following paragraphs.

5.1 Amenity and Character Effects

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 is taking on the zoning of the adjoining properties which is General Business Activity Area

The proposed plan change will ensure that the Site will be zoned General Business Activity Area once the road has been stopped and Rule 14A (a) no longer applies. This zoning would be consistent with the zoning of the surrounding properties and would ensure that activities which are compatible with the established character of the local environment can be undertaken on the Site.

The Site is currently used by Canterbury Spinners Limited as a servicing and car parking area. These activities are permitted on land zoned General Business Activity Area and therefore would be able to continue on the Site under the zoning contemplated by this proposed plan change.

The permitted activity conditions for the General Business Activity Area would also ensure that any future development on the Site would be similar in density, size and scale to the existing development which is located within the surrounding environment. These permitted activity conditions would control the height, location and size of any potential future buildings as well as the nature of the activities undertaken on the Site. It is considered these existing permitted activity conditions are sufficient to control any effects resulting from the future development of the Site and no changes are sought to these existing rules as part of this proposal.

Overall, it is considered that any effects of the plan change on the environment relating to amenity, character and landscape values can be appropriately addressed by the existing District Plan rules.

5.2 Traffic Effects

The Roading and Traffic Division of Hutt City Council have confirmed that there are no plans to form and use the Site as legal road and that it is unlikely that this section of road would be required in the future for this purpose. It has therefore been decided to stop the legal road. It is considered that the zoning of the Site to General Business Activity Area will not result in any effects on the traffic safety and efficiency of the local environment.

The proposed plan change will ensure that the Site retains its current General Business Activity Area zoning, once the legal road has stopped. As such, there will be no change to the potential activities which can be undertaken on the Site when compared to the current situation. Furthermore, no changes to the existing activities on the Site are proposed as part of this plan change. Given these factors, the proposal is not considered to result in any changes to the traffic safety of the local roading network.

If any future development of the Site was to be undertaken, it would be subject to the rules and permitted activity conditions of the District Plan. These rules and permitted activity conditions relate to parking, turning and driveway separation standards. If these standards are unable to be met, the Site will be subject to a resource consent and any resulting traffic effects would be considered within the application.

Overall, it is considered that the proposed plan change would not result in any significant traffic effects and that any traffic effects resulting from future development of the Site can be appropriately addressed by the existing District Plan rules.

5.3 Flooding Effects

Consultation has been undertaken with Greater Wellington Regional Council and they have identified that the Site is within the 1 in 100-year flood extent for the Waiwhetu Stream. Currently, the provisions of the General Business Activity Area Site apply to the site by virtue of Rule 14A (a). The proposed plan change is being undertaken to ensure that the Site will be zoned General Business Activity Area and the same provisions apply once the legal road has been stopped. While the General Business Activity Area zoning allows for the construction of buildings on the property, it is considered that this proposed plan change

does not increase the risk of flooding to future development when compared with the existing situation, given that the provisions of this activity area currently already apply to the Site.

If buildings were to be constructed on the Site or the property was to be subdivided in the future, any potential flood risk would be addressed within the relevant building consent or resource consent process. These consents could require mitigation measures be introduced into the design of any potential buildings to reduce the effects from flooding and could include minimum floor levels. If the flooding effects were unable to be adequately mitigated then the consent could be declined.

Overall, it is considered that the proposed plan change would not result in any additional risk and significant flooding effects.

5.4 Infrastructure Effects

Located on the Site are a variety of services including water, stormwater and sewer (Appendix 4 contains a report identifying the infrastructure located on the Site). These services will need to be protected by easements which will be created as part of the road stopping process.

Located at the western edge of the Site are electricity, gas and telecommunication services. Consultation has been undertaken with Telecom and Wellington Electricity Lines and they have expressed a preference for these services to remain within the legal road. As such, the plan change boundaries identified within Appendix 1 have been altered from the initial proposal to reflect this request.

It is considered that the proposed plan change will not result in an increased demand on the existing services. If new buildings were to be constructed on the Site in the future, they would be subject to the requirements of the Building Act 2004 and would need to demonstrate that any structures are able to be appropriately serviced and meet Council's requirements.

Overall, it is considered that the proposed plan change would not result in any significant effects on infrastructure and existing services.

5.5 Conclusion

Overall, it is considered that any potential adverse effects of the proposed plan change can be adequately controlled by the existing rules, objectives and policies in Chapters 6A, 11, 14A and 14I of the District Plan.

6. POLICY ANALYSIS

6.1 Resource Management Act 1991

The purpose and principles of the Resource Management Act 1991 are detailed in Sections 5 – 8 of Part II of the Act. An assessment of the proposed plan change against Part II is provided below.

Section 5 – Principle and Purposes

Section 5 seeks to promote the sustainable management of natural and physical resources. Section 5 states:

“Sustainable Management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while

- (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposal is considered to be consistent with Section 5 of the Resource Management Act 1991. The Site has been identified to be surplus to Council requirements and has been exclusively used by private businesses for the last 25 years. There are no future plans to use the Site for legal road and the proceeds from the sale of the surplus land will assist Council with the providing for the social and economic wellbeing of the wider Lower Hutt community.

The proposed plan change will ensure that once the legal road is stopped, the Site will have a zoning under the District Plan and the provisions of the General Business Activity Area remain valid. This proposed zoning is consistent with the zoning of the adjoining properties and will ensure that any future development of the Site maintains the amenity values and established character of the local environment.

Section 6 – Matters of National Importance

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 Resource Management Act 1991 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 these.
- The subject property is highly modified and is not an outstanding natural feature or landscape.
- The Site is highly modified and does not contain any areas of significant indigenous vegetation or habitats.
- The Site is not located within a Significant Cultural Resource as identified within the District Plan.
- The Site does not contain any heritage building or structures as identified in the District Plan.

Section 7 – Other Matters

Section 7 of the Resource Management Act requires consideration be given to whether the development is an efficient use of a finite resource. It also seeks to protect amenity and intrinsic values and the overall quality of the environment.

It is considered that the proposed plan change is consistent with Section 7 of the Resource Management Act 1991 for the following reasons:

- The proposed plan change will allow for the sale of a Council owned parcel of land which has been used for private purposes for the last 25 years;
- The Site is currently classified as legal road and therefore takes on the zoning of the adjoining properties which is General Business Activity Area. The proposed plan change will ensure that the provisions of this zoning still apply once the legal road status of the property has been stopped.

- The General Business Activity Area zoning is consistent with the zoning of the adjoining properties and will ensure that the amenity values and established character of the local environment are maintained.
- The proposed plan change will not result in the property being zoned for a use which would allow for more intense development than the existing provisions applied to the Site. As such any potential risk from flooding will not change as a result of this proposed plan change.
- The proposed plan change will not result in any changes to the traffic safety of the local environment.

Section 8 - Treaty of Waitangi

Section 8 of the Resource Management Act requires that the principles of the Treaty of Waitangi are taken into account.

It is considered that there are no particular principles of the Treaty which are relevant to this proposed plan change or that need to be considered in further depth as part of this assessment.

6.2 Regional Policy Statement

The Regional Policy Statement for the Wellington Region 1995 (RPS) sets out the regional direction for resource management. The Resource Management Act requires that territorial authorities, in their district plans, are not inconsistent with the objectives and policies contained in a Regional Policy Statement.

The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region's natural and physical resources.

The most relevant objectives and policies to the proposed plan change are considered to be within the natural hazards and built environment and transportation chapters of the RPS as follows:

Chapter 11 – Natural Hazards

Objective 1

Any adverse effects of natural hazards on the environment of the Wellington Region are reduced to an acceptable level.

Policy 1

To ensure that there is sufficient information available on natural hazards to guide decision making.

Policy 2

To consider all of the following matters when planning for, and making decisions on, new subdivision, use, and development in areas which are known to be susceptible to natural hazards:

- (1) *The probability of occurrence and magnitude of the natural hazards, and the location of the effects, including any possible changes which might arise from climate change;*
- (2) *The potential consequences of a natural hazard event occurring, both on-site and off-site. Potential loss of life, injury, social and economic disruption, civil defence implications, costs to the community, and any other adverse effects on the environment should be considered;*

- (3) *The measures proposed to mitigate the effects of natural hazard events, the degree of mitigation they will provide, and any effects on the environment from adopting such measures;*
- (4) *Alternative measures that might be incorporated into the subdivision, use and development to mitigate the effects of natural hazard events, the degree of mitigation they will provide, and any effects on the environment from adopting such measures. Both structural and non-structural measures should be considered;*
- (5) *The benefits and costs of alternative mitigation measures;*
- (6) *The availability of alternative sites for the activity or use; and*
- (7) *Any statutory obligations to protect people and communities from natural hazards.*

Policy 3

To recognise the risks to existing development from natural hazards and promote risk reduction measures to reduce this risk to an acceptable level, consistent with Part II of the Act.

Chapter 14 - Built Environment and Transportation

Objective 1

Urban areas, the built environment and transportation systems are developed so that they, and their associated activities, use resources efficiently and demand for the use of finite resources is moderated.

Objective 2

The adverse environmental effects that result from the use of urban areas, transportation systems and infrastructure are avoided, remedied or mitigated and, in particular, any effects that result from the concentration and scale of activities in urban areas are recognised and provided for.

Objective 3

The environmental quality of urban areas is maintained and enhanced.

Policy 2

To use natural and physical resources efficiently in the development of urban areas and in use of the built environment by:

- (1) *Encouraging forms of urban development that reflect efficient use of resources; and*
- (2) *Avoiding, where practicable, the use of new resources, particularly non-renewable resources.*

Policy 6

To promote the provision and efficient use of infrastructure in the Region, and the reduction of adverse environmental effects from its use.

Policy 8

To promote a high level of environmental quality in urban areas by:

- (1) *Encouraging good urban design;*
- (2) *Enhancing and protecting amenity values; and*
- (3) *Maintaining and enhancing natural areas and protecting those places, features or buildings with significant heritage, ecological, cultural or landscape values.*

It is considered that the proposed plan change is consistent with the objectives and policies of the Regional Policy Statement (RPS).

The proposed plan change is being undertaken to ensure that the Site is zoned General Business Activity Area once the legal road status of the Site is uplifted. While the Site is situated within the 1 in 100-year flood extent for the Waiwhetu Stream, any potential risks

from flooding are no different that compared to the existing situation. Furthermore, if the Site was to be developed in the future, it would be subject to the provisions of the Building Act 2004 and the Resource Management Act 1991 and as such any potential flooding effects would be addressed at this time.

In relation to the built environment and transportation, the RPS promotes development which uses resources efficiently, maintains and enhances urban areas and avoids, remedies or mitigates adverse environmental effects. It is considered that the provisions of the District Plan will ensure that any future development of the Site would reflect the principles of good urban design practice, and that any adverse effects on infrastructure are avoided, remedied or mitigated. The Site has good connectivity to main transport links and any future development of the Site would be subject to the traffic provisions of the District Plan which would maintain the traffic safety and efficiency of the local environment. Given these factors, it is considered that the proposed plan change is consistent with the objectives and policies of the RPS relating to the built environment and transportation.

6.3 Proposed Wellington Regional Policy Statement

The Proposed Regional Policy Statement (Proposed RPS) was notified in early 2009 with a decision on submissions being made in May 2010. The Proposed RPS is currently subject to several appeals within the Environment Court.

The objectives and policies of the Proposed RPS most relevant to the proposed plan change are considered to be the following:

3.8 Natural Hazards

Objective 18

The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.

Objective 20

Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.

Policy 28

Avoiding subdivision and development in areas at high risk from natural hazards

Policy 50

Minimising the risks and consequences of natural hazards

3.9 Regional Form, Design and Function

Objective 21

A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:

- (c) sufficient industrial-based employment locations or capacity to meet the region's needs;*
- (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;*
- (h) integrated public open spaces;*
- (k) efficiently use existing infrastructure (including transport network infrastructure); and etc*

Policy 32

Supporting a compact, well designed and sustainable regional form.

It is considered that the proposed plan change is consistent with the objectives and policies of the Proposed RPS. The reasons for this are similar to those discussed above in relation to the operative Regional Policy Statement.

The Site is currently classified as legal road and therefore the provisions of the adjoining zonings are applied to the Site. The proposed plan change will ensure that the Site will be zoned General Business Activity Area once the legal road status of the property has been uplifted. As such, the proposed plan change will not result in an activity area which will allow for greater developmental potential than the current provisions applying to the property. The proposed plan change will therefore not result in a material change to the flood risk to the property.

It is also recognised that if the property was to be subdivided in the future or if a building was to be constructed within its confines, then these activities would be subject to the provisions of Resource Management Act 1991 and Building Act 2004 and any potential flood risk would be addressed at the time of application.

With regards to objectives and policies relating to regional form, the portion of the Site subject to this proposed plan change is situated within an urban environment and can be serviced using existing infrastructure. The proposed plan change is considered to be consistent with objective 21, which encourages a compact urban form. The proposed plan change will ensure that the Site is zoned in a manner which could support industrial based employment and would be an efficient use of the existing infrastructure within the local area.

6.4 The Wellington Regional Strategy

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

Within the WRS, land which is zoned for industrial purposes is recognised as being an area of importance. In particular, the industrial land within the Hutt Valley is recognised for its size and proximity to transportation infrastructure. While the Site is small in size, the proposed zoning as General Business Activity Area would allow for the ongoing industrial use on the property. It is also noted that any sensitive uses (i.e. residential activities) would require resource consent under this zone and any potential reverse sensitivity effects would require assessment at time of the application. Given these factors, the proposed zoning as General Business Activity Area is considered to be consistent with the outcomes sought within the Wellington Regional Strategy.

6.5 Consistency with Surrounding District Plans

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

The proposed plan change involves a small area of land which is not located near the boundaries of the City of Lower Hutt. It will have no effect on the plans or proposed plans of adjacent territorial authorities and will not be inconsistent with them.

6.6 City of Lower Hutt District Plan

6.6.1 Area Wide Objectives of the District Plan

Chapter 1 of the City of Lower Hutt District Plan identifies the area wide objectives which the District Plan seeks to achieve. The area wide objectives which are considered to be relevant to the proposal are as follows:

1.10.2 Amenity Value

Objective

To identify, maintain and enhance the character and amenity values of the different activity areas.

Policy

To identify within all activity areas the general character and amenity values of that activity area.

1.10.11 Lessening Natural Hazards

Objective

To avoid or mitigate the vulnerability and risk of people and development to natural hazards.

Policy

(c) To limit the scale and density of development in areas where the risk of flooding is medium to high.

The proposed plan change is considered to be consistent with the above area wide objectives and policies of the District Plan. The Site is currently classified as legal road and therefore the provisions of the adjoining activity areas are applied to the Site. The proposed plan change will ensure that the Site will have a zoning under the District Plan (General Business Activity Area) once the legal road status of the property has been uplifted. This zoning would be consistent with the adjoining properties which are also zoned General Business Activity Area. It is therefore considered that the proposed plan change will result in the Site being zoned appropriately to maintain the general character and amenity values that have been established in the local environment.

While the Site is within the 1 in 100-year flood extent for the Waiwhetu Stream, it is noted that the proposed plan change will not change the provisions currently applied to the site and its potential. Rather, the proposed plan change will ensure that the Site will have a zoning under the District Plan once the road has been formally stopped. As such, the proposed plan change will not increase the risk of flooding to future development when compared with the existing situation.

It is also noted that if the Site was to have buildings constructed upon it or was to be subdivided in the future, then any potential flood risk would then be addressed at this time within the relevant building consent or resource consents.

6.6.2 Specific District Plan Objectives and Policies

The proposed plan change is considered to be consistent with the relevant objectives and policies pertaining to the General Business Activity Area of the City of Lower Hutt District Plan. These objectives and policies are as follows:

6A 1.1.1 Accommodation of a Mix of Activities

Objective

To accommodate those non industrial activities which are suitable in the General Business

Activity Area and which do not cause adverse effects on amenity values of the area and the receiving environment.

Policies

- (a) Accommodate those commercial activities which provide a local service for the work force in the same area.
- (b) Accommodate commercial recreational activities which are appropriate within the General Business Activity Area and which are compatible with the surrounding area.
- (c) Accommodate certain retail activities which are compatible with other activities of the General Business Activity Area and do not undermine the strength, vitality and viability of commercial activity areas.
- (d) That the accommodation of non industrial activities avoids or mitigates adverse effects on the amenity values of the area and the environment.

6A 1.1.3 Environmental Effects

Objective

To avoid or mitigate adverse effects on the amenity values of the area and neighbouring areas, and the receiving environment.

Policies

- (a) That effects likely to be generated by each activity, such as noise, dust, odour and traffic, are managed to avoid or mitigate adverse effects on the amenity values and character of both the General Business Activity Area and interface areas.
- (b) That effects likely to be generated by each activity are managed to avoid or mitigate any adverse effects causing harm or damage to the receiving environment.

6A 1.2.1 Effects on the Amenity Values of the Area

Objective

To maintain and enhance the amenity values of the activity area and neighbouring areas.

Policy

- (a) That each site, structure and building is designed and maintained to enhance the amenity values and character of both the General Business Activity Area and adjacent activity areas.

The proposed plan change is considered to be an effective and efficient means of achieving the above objectives and policies for the Site. It is considered that the rules within the General Business Activity Area are sufficient to ensure that the amenity values and character of the Site, neighbouring properties and wider environment are maintained and no deviation from these existing rules is sought as part of this proposed plan change.

6.7 Other Strategies and Plans

The Hutt City Council has three strategies and plans which are considered relevant to this proposed plan change, namely:

- Economic Development Strategy 2009
- Environmental Sustainability Strategy 2009
- Long Term Council Community Plan (LTCCP) 2009

The proposed plan change is considered to be consistent with the outcomes sought under the above strategies and plans.

6.8 Consultation

The Site has been privately used for approximately 25 years and is currently leased to Canterbury Spinners Limited who is the owners of the adjoining site at 6 Bell Road South. The only other property sharing a boundary with the Site is 69 Gracefield Road which is owned by Industrial Research Limited. Consultation has been undertaken with both neighbours, Industrial Research Limited and Canterbury Spinners Limited. Both parties have confirmed that they do not oppose the proposed plan change.

Consultation has also been carried out with the following statutory authorities in accordance with the Schedule 1 of the Resource Management Act, 1991:

- Greater Wellington Regional Council
- Ministry for the Environment
- Upper Hutt City Council
- Porirua City Council
- Wellington City Council
- The Wellington Tenths Trust
- Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui
- The Port Nicholson Block Settlement Trust
- The Palmerston North Maori Reserve Trust

Feedback was received from Wellington City Council who confirmed that they did have any comments or concerns regarding the Proposed Plan Change.

While we did not hear from several parties during the consultation phase of this project, we note that when the Proposed Plan Change is notified these parties will be contacted directly and will have the opportunity to lodge a submission.

7. Evaluation of Options

The proposed plan change is seeking to zone the Site as General Business Activity Area under the District Plan and thereby ensure the same provisions apply to the Site once the legal road has been stopped and Rule 14A (a) no longer applies. The properties which adjoin the Site are zoned General Business Activity Area. Within the immediate area, the General Business Activity Area contains a variety of activities including manufacturing, industrial and research based industries. There are generally no residential activities within the General Business Activity Area.

Three principal options have been explored as part of the preparation of the proposed plan change. These options include

- Status Quo (do nothing);
- Zone the Site as General Business Activity Area; and
- Zone the Site as Special Business Activity Area.

As noted previously, the Council's decision to sell publicly owned land is not a relevant matter for consideration in terms of the Resource Management Act 1991, or the assessment undertaken in accordance with Section 32 of the Act. Accordingly the zoning options considered below are based on the premise that it is the intention of the Council to declare the land surplus subject to the outcome of this proposed plan change process and the road stopping process.

The cost and benefits of these options are discussed below.

OPTION	EVALUATION
<p>Option 1: Status Quo</p> <p><u>NOT RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Avoids the costs associated with the plan change process <p><u>Costs:</u></p> <ul style="list-style-type: none"> • The Site is no longer needed for the roading purpose which it was acquired for. Once the legal road status is removed the Site will not have a zoning under the City of Lower Hutt District Plan. • Whilst current activities on the site are covered by existing use rights, any change or new activity would be a non-complying activity, therefore requiring resource consent • Having a site with no zoning does not comply with the intention of the District Plan. • Having no zoning under the District Plan is not consistent with the zoning of adjoining properties. • Having no zoning would not allow for the appropriate utilisation of the resource. • Having no zoning would degrade the value and the revenue potential of the site.
<p>Option 2: Zone the Site as General Business Activity Area.</p> <p><u>RECOMMENDED</u></p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Ensures that the Site would have a zoning when the legal road is stopped. • Provides certainty to the future development potential of the Site once the road is stopped. • Results in a zoning which is consistent with the adjoining properties and the character and amenity values of the local environment. • The zoning would be consistent with the existing use of the Site. • Results in a zoning which allows for the undertaking of a wide range of activities on the Site, thereby allowing for the optimum use of the resource. • Optimises the revenue potential of sale (as compared to a site with no zoning). <p><u>Costs:</u></p> <ul style="list-style-type: none"> • The costs associated with the plan change process. • Potential flood mitigation measures would need to be adopted into the design of any future buildings on the Site.
<p>Option 3 Zone the Site as Special Business Activity Area.</p>	<p><u>Benefits:</u></p> <ul style="list-style-type: none"> • Results in a zoning which is generally consistent with the wider area as the western side of Bell Road South is within the Special Business Activity Area. • This zoning would allow for more specialised use of the Site. • Ensures that the Site would have a zoning when the legal road

<p><u>NOT RECOMMENDED</u></p>	<p>is stopped.</p> <ul style="list-style-type: none"> • Provides certainty to the future development potential of the Site once the road is stopped. <p><u>Costs:</u></p> <ul style="list-style-type: none"> • This zoning is more prohibitive than the General Business Activity Area thereby not allowing for the appropriate utilisation of the resource. • The Special Business Activity Area zone would not be consistent with the zone of the adjoining properties and could result in reverse sensitivity effects. • The Special Business Activity Area is specifically identified to contain hazardous facilities and given that the Site is situated within an identified flood zone, there could be potential ecotoxicity effects from hazardous materials spilling into the stream either as a result of a flood or by accident.
--------------------------------------	---

7.1 The Risk of Acting or Not Acting

Section 32 (4) (b) of the Resource Management Act 1991 states:

(4) *For the purposes of [[the examinations referred to in subsections (3) and (3A)], an evaluation must take into account—*

(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

In considering the proposal against Section 32 (4) of the Resource Management Act 1991, it is considered that Council has sufficient information about the subject matter relative to this proposed plan change.

8. SUMMARY

The land review undertaken by the Council concluded that the part of Parkside Road situated on the eastern side of the junction of Bell Road South and Parkside Road, which is currently classified as legal road, was no longer required for this purpose.

The proposed plan change seeks to zone the Site as General Business Activity Area. Thereby the Site would have a zoning and the provisions currently applying to the Site (under Rule 14A (a) of the District Plan) would remain unchanged once the legal road status of the Site is uplifted. The Site is currently leased to and used by a private business. The purpose for which it was initially acquired by Council, being legal road, is no longer considered to be necessary.

The evaluation of the proposed plan change has included an assessment of effects on the environment from zoning the Site as General Business Activity Area and the subsequent development that will be enabled by this zoning. The proposed General Business Activity Area zoning is considered to be consistent with the character of the surrounding properties in the immediate vicinity and would allow for future development of the Site in a manner which is in keeping with the amenity values of the local environment.

A policy analysis of the relevant national, regional and local policies and plans has been undertaken. Overall, it is considered that the proposed plan change is consistent with the

objectives and policies of the relevant policies and planning documents. The proposed General Business Activity Area zone and the rules associated with the zoning are considered to enable an appropriate level of future development on the Site while managing the adverse effects on the environment. No changes are proposed to the General Business Activity Area provisions of the District Plan as part of the proposed plan change.

The costs and benefits of the proposed plan change have been assessed against the purpose of the Resource Management Act 1991. The costs and benefits of the options for the Site have been evaluated and the recommended option (Option 2 - Zone the Site as General Business Activity Area) is considered to be the most appropriate in terms of achieving the purpose of the Act. Overall the proposed plan change is considered to be consistent with the purpose and principles of the Act.

Appendices

- Appendix 1:** Plan of the Site, illustrating the area proposed to be zoned General Business Activity Area
- Appendix 2:** Operative District Plan Maps C5 and D5
- Appendix 3:** Proclamation which created the Legal Road
- Appendix 4:** Assessment of the infrastructure located on the Site

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



RIVERSIDE DRIVE SOUTH

BELL ROAD SOUTH



LEGEND:



AREA TO BE REZONED
GENERAL BUSINESS
ACTIVITY AREA

Copyright of this drawing is vested in Cuttriss Consultants Limited

SCALE 1:500

SIZE A3

	NAME	DATE
FIELDWORK	-	-
DESIGNED	JB	01/12
DRAWN	KML	01/12
CHECKED	JB	01/12

DRAWING NUMBER	
27622	
SHEET 1	OF 1 SHEETS
REVISION	-

Cuttriss
Land Surveyors, Engineers & Resource Managers

Cuttriss Consultants Limited
Hutt Valley, Wellington, Kapiti Coast

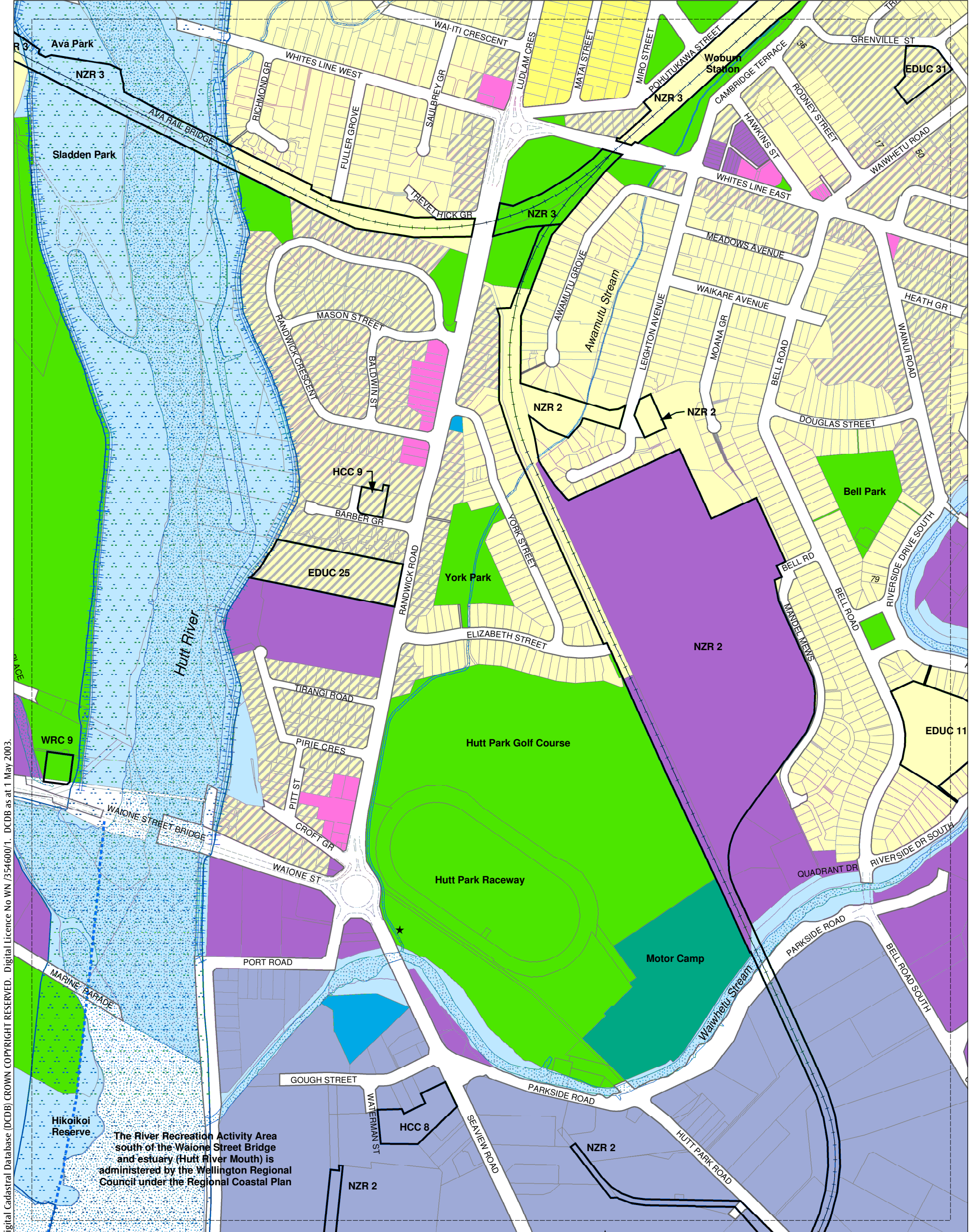
Lower Hutt Branch - Level 3, Crest House, 92 Queens Drive, Lower Hutt
Postal Address - PO Box 30 423, Lower Hutt 5040
Telephone (04) 939 9245 Fax (04) 939 9249 Email hutt@cuttriss.co.nz

Paraparaumu Branch - 33 Kapiti Road, Paraparaumu
Postal Address - PO Box 386, Paraparaumu 5254
Telephone (04) 904 5420 Fax (04) 904 5423 Email kapiti@cuttriss.co.nz

CLIENT

**PROPOSED PLAN CHANGE
AREA BOUNDARIES,
PARKSIDE ROAD, LOWER HUTT
HUTT CITY COUNCIL**

Appendix 2: Operative District Plan Maps C5 and D5



Digital Cadastral Database (DCDB) CROWN COPYRIGHT RESERVED. Digital Licence No WN /354600/1. DCDB as at 1 May 2003.

The River Recreation Activity Area south of the Waione Street Bridge and estuary (Hutt River Mouth) is administered by the Wellington Regional Council under the Regional Coastal Plan

Updated 1 December 2011

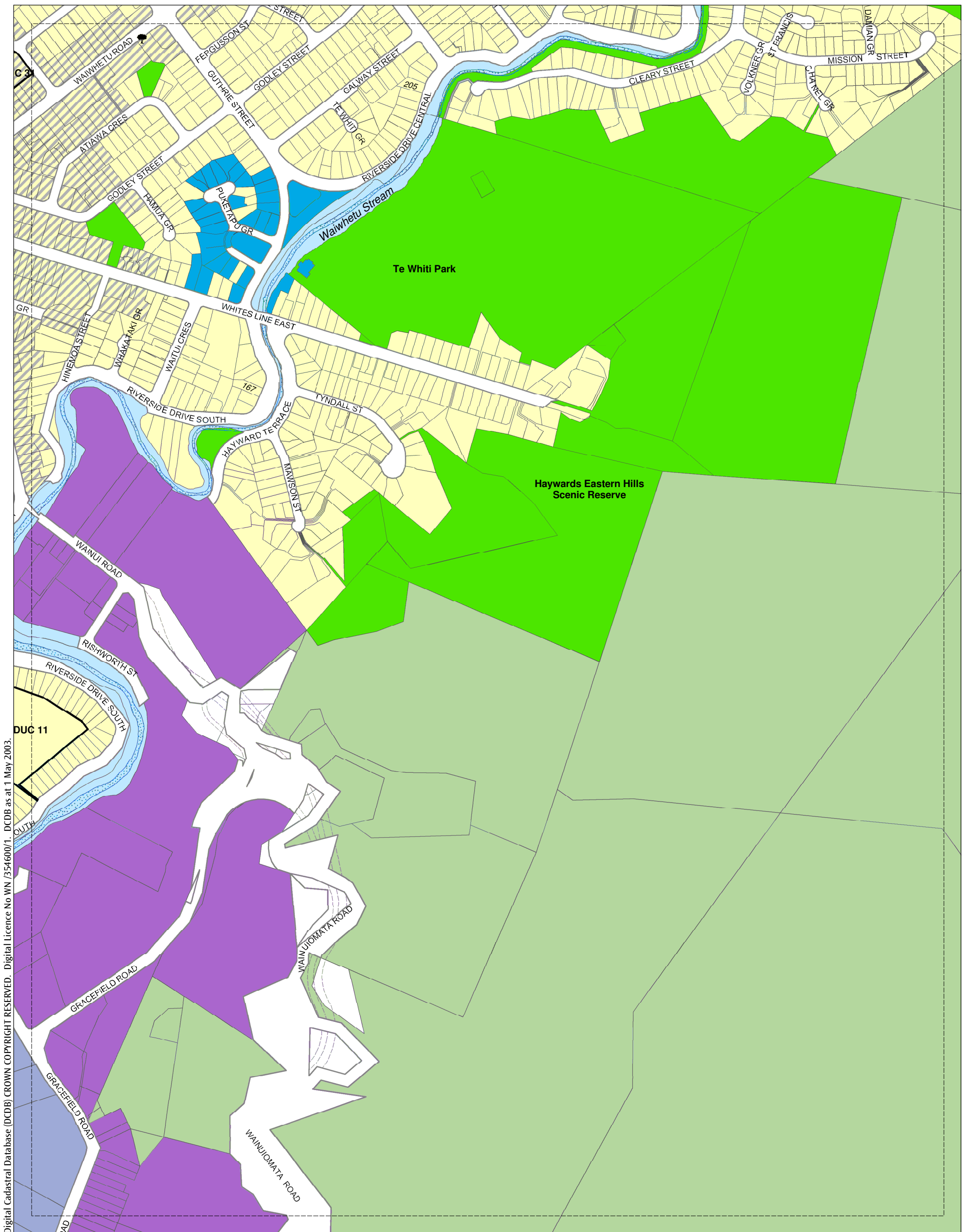
ACTIVITY AREAS			ANNOTATIONS														
	General Residential		Central Commercial		City Boundary		Regional/Forest Park	 <table border="1"> <tr><td>B4</td><td>C4</td><td>D4</td></tr> <tr><td>B5</td><td style="background-color: #cccccc;">C5</td><td>D5</td></tr> <tr><td></td><td>C6</td><td>D6</td></tr> </table>	B4	C4	D4	B5	C5	D5		C6	D6
B4	C4	D4															
B5	C5	D5															
	C6	D6															
	Special Residential		Petone Commercial		Designation		Heritage Area										
	Historic Residential		Suburban Commercial		Medium Density Residential		Primary River Corridor										
	Hill Residential		Special Commercial		Wellington Faultline Special Study Area		Secondary River Corridor										
	Landscape Protection		General Business		Hydraulic Line		1 in 100 Year Flood Extent										
	Rural Residential		Special Business		Flood Protection Bank		Building Setback Line										
	General Rural		Avalon Business		Railway Line		Notable Tree										
			Extraction				Historic Place										
			General Recreation														
			Special Recreation														
			River Recreation														
			Passive Recreation														
			Community Health														
			Community Iwi														



District Plan - City of Lower Hutt

Scale 1:6000

C5



Digital Cadastral Database (DCDB) CROWN COPYRIGHT RESERVED. Digital Licence No WN /354600/1. DCDB as at 1 May 2003.

Updated 17 January 2012

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



C4	D4	E4
C5		E5
C6	D6	E6



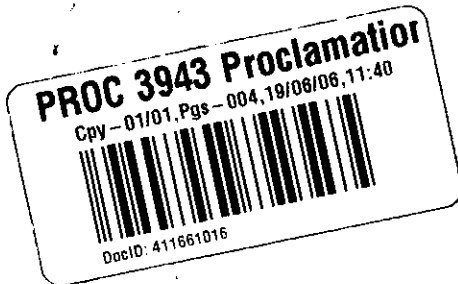
District Plan - City of Lower Hutt

Scale 1:6000(at A3 Size)

D5

Appendix 3: Proclamation which created the Legal Road

(P.W. 253)



P.W. 51/3219 (P) -
PUBLIC WORKS DEPARTMENT,
WELLINGTON, C.1

SEP 1948

Land proclaimed as St. East side

MEMORANDUM for:

The District Land Registrar,

Wellington

of Waikato River.

I enclose for registration in your office, a copy of a Proclamation issued in terms of section 12 of the Land Act, 1924, with relative plan.

If you find the Proclamation doubtful or incorrect in any respect, will you please refrain from registering it, and inform me at once, so that steps may be taken to amend it where necessary.

If correct, please inform me when the Proclamation has been registered, and the deposit number thereof.

~~Under Secretary~~

F. C. ...
Acting Commissioner of Works

Encl: Copy of Proclamation,
Copy of P.W.D. 127296.
~~Copies of Consents.~~

[Extract from N.Z. Gazette No. 51, 23rd September, 1948, page 1201]

Land Proclaimed as Street in the City of Lower Hutt

[L.S.] B. C. FREYBERG, Governor-General
A PROCLAMATION

PURSUANT to section twelve of the Land Act, 1924, I, Lieutenant-General Sir Bernard Cyril Freyberg, the Governor-General of the Dominion of New Zealand, do hereby proclaim as street the land described in the Schedule hereto.

SCHEDULE

APPROXIMATE areas of the pieces of land proclaimed as street:—

A.	R.	P.	Being
0	3	13	Part Lot 3, D.P. 7068, being part Section 14, Hutt District; coloured orange.
0	2	36	Part Block LVIII, Hutt Valley Settlement; coloured sepia.
1	1	6	Part Block LIX, Hutt Valley Settlement; coloured blue.

Situated in Block XIV, Belmont Survey District (City of Lower Hutt). (S.O. 21609.)

In the Wellington Land District; as the same are more particularly delineated on the plan marked P.W.D. 127296, deposited in the office of the Minister of Works at Wellington, and thereon coloured as above mentioned.

Given under the hand of His Excellency the Governor-General of the Dominion of New Zealand, and issued under the Seal of that Dominion, this 20th day of September, 1948.

R. SEMPLE, Minister of Works.

GOD SAVE THE KING!

(P.W. 51/3219.)

E. V. PAUL, Government Printer, Wellington.

adj.
283/260 *X*
342/49 *X*
342/49 *X*
511/220 *X*
479/80 *X*
533/224 *X*

*Noted on Co. T. 283/260, 342/49.
on D.P.'s 7068, 9230, 12046, 12344, 13102
and on plan index map.*

dfj
4.11.48.

3943

83

Proclamation.

Particulars Entered in Register-books
 Vol. 283/260, 342/49, 479/80,
 the 511/220, and 533/224, and on Proc 1825
 at 28th day of September 1948
 at 10 am.



J. Hart
 Assistant Land Registrar,
 WELLINGTON.

Advice memo sent to PWD:-

No notices:-

Proc. 3943
 No fee
 Public Works Dept.
 28-9-48
 10 am.

Appendix 4: Assessment of the Infrastructure Located on the Site

Ref: 27491

11 August 2010

REPORT ON EXISTING SERVICES IN PARKSIDE ROAD EXTENSION GRACEFIELD, LOWER HUTT

Overview

Hutt City Council is considering the sale of an area of Parkside Road Extension (the Site) to Canterbury Spinners Limited (CSL) who own property adjoining the road. To enable the sale of this land, part of the road will need to be stopped. The purpose of this report is identify existing services located within the current road reserve, advise on any matters which will have an effect on stopping the road, and to advise Council of any action with regard to services which needs to be addressed prior to disposal of the land.

Our investigations have identified various services which currently pass through the Site and will require protection by easement. These are shown on attached plan 27491SCH and are discussed below. Our assessment is based on the Site being sold to CSL and not to any other party.

Water

Council records show a 225mm diameter watermain passing through the Site. Due to the nature of the pipe material, the eastern length of this pipe beyond a fire hydrant was unable to be located with detection equipment. The pipe has been plotted on plan 27491SCH from Council records. The pipe is to remain in Council ownership and will require protection by easement in gross in favour of Hutt City Council.

A fire hydrant is situated within the Site and will be in private land if the road is stopped. Access to the hydrant could therefore be compromised and advice should be sought from Capacity as to whether or not a new hydrant is required in Bell Road South.

Sewer

Council records show two sewer lines passing through the Site. To the north, a 450mm diameter trade waste pipeline terminates at a manhole within the Site. A 300mm diameter lateral pipe from the CSL land discharges into the terminal manhole. The trade waste pipeline does not appear to cater for any other properties however Capacity have requested that the pipeline remains in Council ownership. This pipeline will therefore require protection by easement in gross in favour of Hutt City Council.

Council records show a 225mm diameter sewer line running close to the southern road boundary. This pipeline appears to serve various properties to the north, east and south of the Site and will therefore require protection by easement in gross in favour of Hutt City Council. Parts of this pipeline have been unable to be located on Site and have been plotted from Council records on plan 27491SCH.

Stormwater

Council records show two stormwater pipes passing through the Site. At the north-eastern end of the Site, a 300mm diameter stormwater passes through the Site and discharges into an open drain north of the Site. This stormwater pipe appears to serve various properties to the east and south of the Site and will therefore require protection by easement in gross in favour of Hutt City Council.

A 300mm diameter stormwater pipe lying west of the centre of the Site also discharges into the open drain. Council records show a pipe in a different location however we believe this is the same pipe as that shown on plan 27491SCH. Council records indicate that this stormwater pipe only serves the CSL property and can therefore be considered a private pipeline. The Site also contains various yard drains and associated

pipework also considered to be private. Protection by easement is not required over these private drains and pipelines.

Open drain

Stormwater from the CSL site, Parkside Road extension, and a Council stormwater pipeline mentioned above all discharge into an open drainage channel. Old survey records indicate that the southern bank of this channel is the former bank of the Waiwhetu Stream. The main stream channel has since moved to the north but in our opinion the open drainage channel continues to be a natural watercourse. The channel is mostly if not wholly contained in the adjoining allotment to the north. Capacity has determined that the drain is not part of the Council controlled stormwater network and that responsibility for maintenance of the drain rests with the owner of the land for any part of the drain that is situated within their property boundary (see HCC Memorandum dated 28 April 2010).

In our opinion, no easement or further action is required in relation to the open drain however further advice could be sought as to the ongoing right to drain stormwater into this channel.

Other Services

Electricity, gas and telecommunication services have been located and marked up on the Site. The western end of the Site contains a telecommunication cabinet and power pole carrying overhead power and telecommunication cables as shown on plan 27491SCH. These services are immediately adjacent to Bell Road South and occupy part of the area of road proposed to be stopped. This area (shown 'Z' on plan 27491SCH) will require protection by easement or will need to be excluded from the road stopping and sale of the land. Advice should be sought from Telecom New Zealand and Wellington Electricity Lines as to their preference.

A gas enclosure and associated pipework at the south-west corner of the site has been confirmed as being clear of the Site boundary. No other services were identified as crossing through the Site.

Easements

As discussed above, easements are required over Council controlled water, stormwater and sewer pipelines which pass through the site. These easements will be in favour of Hutt City Council and are shown on plan 27491SCH. Capacity require the width of the water easement to be 6m to allow for future pipe replacement. The width of the stormwater and sewer easements has been determined in accordance with Council standard requirements, being the greater of 3m or two times the depth of the service. Both sewer lines are 3.0m to 3.5m deep and their associated easements are therefore 6m-7m wide. The stormwater easement to the north is approximately 3m wide. Easement positions and widths may change once all pipelines have been fully located on site but it is anticipated that these changes will only be minor.

Existing easements from SO 12046 as identified in the TPG report dated 13 April 2010 are now either redundant or will be replaced by new easements where necessary.

Summary

On the basis of our investigations, current services on the Site appear to provide no impediment to the stopping of road and sale of land to CSL. Easements will be required to protect existing Council services, and land containing utility services adjacent to Bell Road South will need to be either excluded from the road stopping and sale or be protected by easement. We believe no action is required in respect to the open drain to the north. Advice should be sought from Capacity as to whether any action is required in regard to the existing fire hydrant within the Site.

Attachments

Scheme plan 27491SCH

Report prepared by:

Karl Wilton
Senior Surveyor

PO Box 30 429
Level 3
Crest House
92 Queens Drive
Lower Hutt 5040
Tel: 0-4-939 9245
Fax: 0-4-939 9249
www.cuttriss.co.nz
Email: hutt@cuttriss.co.nz
Also at Paraparaumu

ref: wilton/27491

25 August 2010

Hutt City Council
Private Bag 31912
LOWER HUTT

Attention: Anna Fenton

FURTHER INVESTIGATION INTO SERVICES AT PARKSIDE ROAD

Following on from our report into services dated 11 August 2010, we have consulted Telecom New Zealand and Wellington Electricity Lines as to their preference in how the land around their existing plant is dealt with. Both have indicated that they would prefer the area shown 'Z' on Cuttriss plan 27491SCH-A to remain as road rather than to have an easement registered. Copies of their responses are attached.

We have consulted with Capacity as to whether any action is required with regard to the fire hydrant located within the area of road to be stopped. They have advised that no action is required. A copy of their response is attached.

We have liaised with Cassandra Hancock (HCC) and with GWRC as to HCC's ongoing right to discharge stormwater into the open drain to the north of the site. On the basis that the open drain is part of the former course of the Waiwhetu Stream as shown on old survey plans, we consider it to be a natural watercourse and would therefore require GWRC consent to be altered. The consensus is that this will protect Council's right to discharge stormwater into this channel.

Please contact me if you have any further queries.

Yours faithfully

Karl Wilton
CUTTRISS CONSULTANTS LTD
encl

Part 5: Copy of Submission Form

Submission on publicly notified Proposed District Plan Change



Clause 6 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. This is a submission from:

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

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

Proposed District Plan Change No:

Title of Proposed District Plan Change:

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

Please give details:

(Please use additional pages if you wish)

4. My submission is:

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

(Please use additional pages if you wish)

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

Give precise details:

(Please use additional pages if you wish)

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

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

Signature of submitter:

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

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