
REPORT 3
(1215/11/IM)

APPROVAL OF DISTRICT PLAN CHANGES 69 AND 71 AND DISTRICT PLAN VARIATIONS 8, 9 AND 10

1. Purpose of Report

To request Council approval of District Plan Changes 69 (Contaminated Land), 71 (Minor Amendments to District Plan Text and Maps) and Variations 8, 9 and 10 related to District Plan Change 69 under clause 17 (2) of Schedule 1 to the Resource Management Act 1991.

2. Recommendations

Officers recommend that the Council:

- 1. Receive the information.*
- 2. Agree to approve District Plan Changes 69 and 71 and Variations 8, 9 and 10 in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991.*
- 3. Agree that the Plan Changes and Variations will become operative on Tuesday 9 March 2010.*

3. Discussion

As part of the ongoing rolling review of the District Plan the following District Plan changes and Variations have past the Council hearing stage with no appeals or have otherwise been resolved through Environment Court processes:

DPC 69 and Variations 8, 9 and 10 – Contaminated Land – approved by Council – no appeals

DPC71 – Minor Amendments to District Plan Text and Maps – approved by Council – no appeals

Under clause 17 of Schedule 1 of the Resource Management Act 1991 the Council is now required to approve the changes and this will be given effect to by official sealing of the documents.

All of the changes have now been collated and prepared for sealing but because of their bulk they have not been appended to this report. There are significant pages of text and A3 sized maps. However, they are available for inspection through Democratic Services if required.

It is noted that the final copies of the changes mirror the text already approved by the Council and there is no ability to make further changes or amendments at this stage. The approval process under Schedule 1 is purely procedural and the sealed changes will reflect what already has been determined.

In addition, under clause 20 of Schedule 1 the Council is required to publicly notify the date on which the Plan changes become operative which must be at least 5 working days before the date on which it becomes operative. In this case the public notice will be included in the 'Our Wellington' page on Tuesday 2 March 2010 and the operative date will be Tuesday 9 March 2010.

4. Conclusion

It is recommended that the District Plan changes referred to in this report be approved as required under the Resource Management Act 1991.

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Supporting Information

1) Strategic Fit / Strategic Outcome:

The approval of plan changes supports the outcomes of the Urban Development Strategy and the District Plan.

2) LTCCP/Annual Plan reference and long term financial impact:

Project C533 – District Plan

3) Treaty of Waitangi considerations:

All District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).

4) Decision-Making:

This is not a significant decision. The report concerns matters previously considered by the Strategy and Policy and Regulatory Processes Committees.

5) Consultation:

Not applicable.

6) Legal Implications:

The Council's lawyers have been involved as relevant during the processing of the plan changes.

7) Consistency with existing policy:

The plan changes reflect Council policy.