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**REPORT 3**  
*(1215/11/IM)*

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**DISTRICT PLAN DESIGNATION NO. 134:  
NOTICE OF REQUIREMENT FOR AN ALTERATION  
TO DISTRICT PLAN DESIGNATION NO. 134 – A  
REQUEST TO ALTER THE ALIGNMENT OF AN  
EXTENSION TO WESTCHESTER DRIVE AND  
INCORPORATE THE PHYSICAL WORKS.**

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**1. Purpose of Report**

To report to Council and seek approval of the recommendations of the Joint Hearing Committee concerning a Notice of Requirement for an alteration to District Plan Designation No. 134 – a request to alter the alignment of an extension to Westchester Drive and to incorporate the physical works.

**2. Recommendation**

It is recommended that the Council:

1. *Receive the information.*
2. *Approve the recommendations of the Joint Hearing Committee in respect of a Notice of Requirement for an alteration to District Plan Designation No. 134 – a request to alter the alignment of an extension to Westchester Drive and incorporate the physical works (attached as Appendix 1).*
3. *Approve the material to be included in the District Plan attached as Appendix 2.*

**3. Background**

A Notice of Requirement has been submitted by Wellington City Council to alter the alignment of an extension to Westchester Drive and to incorporate the physical works. The Designation for the Westchester Drive extension already exists in the District Plan – “Designation No. 134” – and the alteration is proposed principally to minimise the works required within Stebbings Stream.

The Notice of Requirement has been notified, submissions received and a hearing held on 25 – 27 May 2009.

#### **4. Discussion**

Having considered the requirements of the Resource Management Act 1991 and the issues raised by the Notice of Requirement, the written submissions, and the submissions and evidence given at the Hearing, the Joint Hearing Committee considers that the Notice of Requirement should be confirmed subject to the addition of conditions.

The conditions pertain to the specific details of the proposed physical works, ensuring that these proceed in accordance with the application documents; restricting hours of work; requiring a detailed Construction Management Plan to be prepared; ensuring appropriate noise management, landscaping, and engineering design of the earthworks and road, and requiring specific procedures be undertaken should any archaeological deposits be found.

The reasons for the Joint Hearing Committee's recommendations are outlined in the attached report (Appendix 1).

Once approved by Council the decision will be publicly notified and served on the parties. They have the option of appealing the matter to the Environment Court within 15 working days. If no appeals are made, the amended Designation can then be incorporated into the District Plan without further formality (as per Appendix 2).

***Report from: Sally Baber (Chair), Paul Bruce and Stuart Kinnear - Joint Hearings Committee***