
REPORT 1
(1215/11/IM)

DECISION ON DISTRICT PLAN CHANGE 76: GENERAL MINOR AMENDMENTS TO DISTRICT PLAN MAPS AND TEXT

1. Purpose of Report

To report to Council the recommendations of the Hearing Committee on District Plan Change 76 of the Wellington City District Plan, and the reasons for those recommendations.

2. Executive Summary

The Hearing Committee has considered all written and oral submissions on District Plan Change 76 and made its recommendations.

If Council adopts the recommendations of the Hearing Committee, then this report will become the Council decision. If however the Council rejects one or more of the proposed recommendations the hearing process would need to be re-commenced and determined by the whole of Council.

3. Recommendation

It is recommended that Council:

- 1. Receive the information*
- 2. Approve the recommendations of the Hearing Committee in respect of District Plan Change 76 as set out in Attachment 1.*

4. Discussion

Proposed District Plan Change 76 (DPC 76) proposes to make amendments to the district plan text and maps. The Plan Change is one of a series of plan changes that are initiated from time to time to make minor amendments to the District Plan.

DPC 76 was publicly notified on 29 March 2011. A total of five submissions and one further submission were received.

No formal hearing was required as no persons who made submissions wished to be heard. The deliberations were held on 14 September 2011. The Hearing Committee comprised of commissioners Leonie Gill, Brian Pepperell and Ngaire Best.

DPC 76 proposed the following changes to the District Plan:

- removal of Heritage Tree listings (the trees no longer exist) in Chapter 21 of the District Plan and consequential changes to the District Plan Maps
- a number of rezonings of reserves and parks land to better reflect the existing open space or conservation use of the site including the Northern Reserves (Outer Green Belt) and some city sites
- rezone a number of other sites including:
 - 16 and 16A Monorgan Rd from Airport and Golf Course Precinct to Outer Residential;
 - 44 Silverstream Rd (part of the girl guides land) from Conservation to Open Space A;
 - Sunhaven Drive (site adjoining 28 and 43 Sunhaven Dr) from Outer Residential to Conservation;
 - Land adjoining Houghton Bay School from Outer Residential to Open Space A;
 - Owhiro Bay Quarry Site from Open Space B to Conservation;
 - 11 Vennell Street from Open Space A to Residential (Outer)
- realignment of a small part of the Ridgeline and Hilltops Overlay, Khouri Avenue, Karori
- text changes to Rule 11.1.1.6 Night Flying Operations.

Four submissions supported various parts of the plan change and one submission supported the plan change but requested some amendments.

Submissions were received:

- supporting the amendments that relate to the Northern Reserves, Outer Green Belt. A further submission was received supporting this submission;
- supporting the rezoning of 44 Silverstream Rd from Conservation to Open Space A;
- supporting the changes to Rule 11.1.1.6 Exceptions to Night Flying Operations.
- supporting the rezoning of the property on Sunhaven Drive (between 28 and 43 Sunhaven Drive).

Submitter 3 (supported by Further Submitter 1) supports the plan change but requests that additional areas in the vicinity of the reserves proposed to be rezoned, also be added to the rezonings.

The submitter requested rezoning in six areas. A number of the rezoning requests were outside the scope of the plan change, while a number of others areas were difficult to identify from the description provided. In all cases the requests by the submitter are recommended to be rejected, however Council Officers have undertaken to work with the Submitter to better identify the areas and include the areas in future plan changes if required.

No submissions were received on any other aspects of the plan change.

6. Conclusion

This report and attachments presents the recommendations of the Hearing Committee on District Plan Change 76 – General Minor Amendments to District Plan Maps and Text IV.

If approved by Council, the decision will be publicly notified and served on the submitters. Submitters then have the option of appealing any matter to the Environment Court within 15 working days. If no appeals are made the plan change will become operative.

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Supporting Information

1) Strategic Fit / Strategic Outcome

The District Plan changes support goals and outcomes desired by the Urban Development Strategy.

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

There are no specific OPEX or CAPEX proposals directly related to this paper.

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

The proposals to change the District Plans are in accordance with Council's wider strategic framework and the decisions made on submissions maintain the original intent of the notified provisions.

5) Consultation

a) General Consultation

A number of rezonings undertaken in the plan change were the subject of discussions and/or specific consultations undertaken by other parts of Council (e.g. Property and Parks and Gardens). The decision report discusses the submissions received and decisions made on those submissions.

b) Consultation with Maori

The Wellington Tenth Trust and Te Runanga o Toa Rangatira were advised of the plan changes no submissions were received from them.

6) Legal Implications

The Proposed Plan Changes have been assessed in accord with the Resource Management Act 1991.

7) Consistency with existing policy

The Plan Changes are consistent with other Council policy.