

ATTACHMENT 1

DECISION REPORT FOR DISTRICT PLAN HEARING COMMITTEE

SUBJECT: **DISTRICT PLAN CHANGE No. 76 – General Minor Amendments to District Plan Text and Maps IV**

COMMITTEE MEMBERS: **Councillors Leonie Gill, Ngaire Best and Bryan Pepperell**

DATE OF HEARING: **14 September 2011**

1. PROPOSED PLAN CHANGE 76 – General Minor Amendments to District Plan Text and Maps

Proposed District Plan Change 76 is one of a series of changes that are initiated from time to time to make minor amendments to the District Plan.

2. RECOMMENDATIONS

It is recommended that Council:

- 1. Receive the information*
- 2. Approve the District Plan Change 76 as publicly notified and set out in Appendix 1 of this report.*
- 3. Note that Council Officers will consider rezoning a number of areas identified by Submitter 3 in future plan changes and continue to work with the submitter to identify the other areas mentioned in the submission.*

3. SUBMITTERS

A total of 5 main submissions and 1 further submission were received to the Plan Change relating to three topics. The submitter detail is listed below:

Submissions

- 1 Chris Horne
- 2 G & L Wood (on behalf of Crofton Downs Neighbourhood Group)
- 3 Rosamund Averton
- 4 Wellington Airport Ltd
- 5 Graham and Rosalie Fagan

Further Submissions

- FS1 Peter Hunt (on behalf of the Wellington Branch of Forest and Bird Protection Society)

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No parties wish to be heard in support of their submission.

The detailed summary of submissions is attached as Appendix 3.

4. BACKGROUND

This proposed District Plan Change is the result of ongoing District Plan maintenance and monitoring work. Specifically, the Plan Change comprises forty nine separate changes to the District Plan. The changes include:

- 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 11.1.1.1.6 Night Flying Operations.

Plan Change 76 was publicly notified on 29 March 2011 and submissions closed on 13 May 2011. Five Submissions were received. The Summary of Submissions was publicly notified on 30 May 2011. One further submission was received.

5. SUBMISSIONS AND DISCUSSION

5.1 Submissions in support

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

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Submitter 1 supports the amendments that relate to the Northern Reserves, Outer Green Belt. A further submission was received supporting this submission.

Submitter 2 supports the rezoning of 44 Silverstream Rd from Conservation to Open Space A.

Submitter 4 supports the changes to Rule 11.1.1.1.6 Exceptions to Night Flying Operations.

Submission 5 supports the rezoning of the property on Sunhaven Drive (between 28 and 43 Sunhaven Drive).

A full copy of the Summary of Submissions is attached as Appendix 1 to this report.

Submissions were not received on any other aspects of the plan change.

Recommended Decision: Accept the support of the submitters.

5.2 Submission in support but requesting amendments

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. These are outlined below along with the Hearing Committee's comments and recommendations.

5.2.1 Map U – extend the areas to be rezoned from the end of Percy Dyett Drive at or between Lots DP 51548 and Dp9628. Area shown on Map U, Appendix 2 to this report.

The area requested to be included is private land and does not form part of Council's reserve network. In addition, it is not connected or adjacent to an area proposed to be rezoned as part of this plan change. Therefore it would be inappropriate to rezone the area requested.

Recommended Decision: Reject the submission.

5.2.2 Map V – Extend the areas to be rezoned from the end of Parsons Glen between 12/14 Fiona Grove, Lot 82 DP 45808. Area shown on Map V, Appendix 2 to this report.

The area requested to be rezoned is an accessway leading to a reserve off Woodhouse Avenue. The accessway is currently zoned Residential (outer). The rezonings proposed as part of this plan change are part of a wider project to correct Reserves Act classifications contained in the

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Outer Green Belt, Northern Reserves and generally form part of reserves that fall within the Outer Green Belt Management Plan. The area identified by the submitter is an accessway that leads to a reserve in the Suburban Reserves Management Plan and as such was not included in the original reserves re-classification project. In addition the requested rezoning does not connect to an area proposed to be rezoned and is therefore outside the scope of the Plan Change.

The submitter is correct in identifying that the accessway is zoned Outer Residential and that an Open Space zoning would probably be more appropriate. The Hearing Committee notes that Parks and Garden staff are aware of the issue and have identified it for correction when the reserves reclassification/rezoning project is undertaken for the Suburban Reserves.

Recommended Decision: Reject the submission. Note that Council Officers will consider correcting this in the next reserves reclassification/rezoning project.

5.2.3 Map W – Rezone Lot DP 86200 (Forsyth Grove to Hawkins Hill Rd/Ashton Fitchett to Brooklyn wind turbine route) from Rural to Open Space B. Area shown on Map W, Appendix 2 to this report.

The area requested to be rezoned is an accessway off Forsyth Grove and is part of Careys Gully Reserve, it has a reserve classification of Scenic B under the Reserves Act. Again the submitter is correct in identifying that the zoning may be more appropriately zoned Open Space. However, the area is not physically connected to an area that is proposed to be rezoned by this plan change and therefore is outside the scope of the plan change.

The Hearing Committee notes that Parks and Garden staff have taken note of the inconsistency and it can be rezoned in a future plan change.

Recommended Decision: Reject the submission. Note the inconsistency and Council Officers will consider rezoning in a future plan change.

5.2.4 Rezone Upper Cave Rd to allow access to Buckley Rd. This site should be formally connected to Buckley Reserve which is an extension to the Southern Walkway.

It is unclear from the Submitters description which area is requested to be rezoned.

Recommended Decision: Reject the submission. Note that Council Officers will work with the submitter to identify the area in question and establish if rezoning is required.

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5.2.5 Rezone the bush area from Waiapu Rd (behind the KWS coffee shop) to Open Space B–Disley Road (Highbury) Reserve – Highbury Rd- KWS.

It is unclear from the Submitters description which area is requested to be rezoned. Reserves in this area were not included in the Plan Change. The Hearing Committee notes that Council Officers have indicated that they will work with the submitter to identify the area in question and establish if rezoning is required. If rezoning is required and is considered to be appropriate, it could potentially be included in a future plan change

Recommended Decision: Reject the submission. Note that Council Officers will work with the submitter to identify the area in question and establish if rezoning is required.

5.2.6 Rezone the area above Birdwood Reserve that links to the Messines Rd track to allow for a relatively gentle zigzag through the bush.

It is not clear from the submission which area is requested to be rezoned. Birdwood Reserve is zoned Open Space A and the Karori Wildlife Sanctuary is zoned Conservation. The reserves in this area were not included in the current reserves classification project being undertaken by Parks and Gardens and therefore no rezoning were proposed for this area.

The Hearing Committee notes that Council officers have indicated that will work with the submitter to identify the area in question and establish if rezoning is required. If rezoning is required and is considered to be appropriate it could potentially be included in a future plan change

Recommended Decision: Reject the Submission. Note that Council Officers will work with the submitter to identify the area in question and establish if rezoning is required.

6. Conclusion

All submissions received on the Plan Change were in support although one submission sought the inclusion of additional areas to be rezoned. The areas requested are either outside the scope of the plan change, in private ownership or have not been defined sufficiently to be able to be rezoned by this plan change. It is recommended that the Plan Change be approved as notified.

The Hearing Committee notes that Council Officers have indicated that they will work with Submitter 3 to identify any areas that may need to be rezoned as part of future plan changes.

Leonie Gill
Chair PC76 Hearing Committee

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Appendix 1

Plan Change Document

Wellington City District Plan

Proposed District Plan Change 76

General Minor Amendments to District Plan Text and Maps V

ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN

Detailed below are changes relating to:

- a number of rezonings of reserve land to better reflect the existing open space or conservation use of the site
- a number of other rezonings to better reflect the actual use of individual sites
- rezoning of land at 11 Vennell Street from Open Space A to Residential (Outer)
- removal of Heritage Tree listings in Chapter 21 of the District Plan and consequential changes to the District Plan Maps
- realignment of a small part of the Ridgeline and Hilltops Overlay
- text changes to Rule 11.1.1.1.6 Night Flying Operations

To assist the understanding of the amendments, new maps showing zone changes and changes in heritage items are included as Attachment 1 to this document.

A. REZONINGS - ALTERATIONS TO VOLUME 3 MAPS

1. **Change** land zoned Airport and Golf Course Recreation Precinct at 16 and 16A Monorgan Rd, Strathmore (Lots 1 & 2 DP 81401) to Residential (Outer) as set out in Map 1 in Attachment 1.
2. **Remove** the Ridgelines and Hilltops Overlay line from the residential properties at 43, 45 47, 49 Khouri Ave (Lots 17, 18, 19, 20 DP 404593) and realign in accordance with the Map 2 in Attachment 1.
3. **Change** land zoned Conservation Site at 44 Silverstream Road, Crofton Downs (part of Lot 2 DP 58339, Lot 1 DP 65267, part of Lot 3 DP 65267 and part of Lot 3 DP 17482) to Open Space A as set out in Map 3 in Attachment 1.
4. **Change** land zoned Open Space A at 11 Vennell Street, Brooklyn, to Residential (Outer) Area, as set out in Map 4 in Attachment 1.
5. **Change** the zoning of a number of parcels of land around the city as per the tables below and as represented in Maps A to X in Attachment 1.

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Rezoning of Parks and Reserves land in the Northern Ward

Site Name/Location - northern sector,	App Map	Area (ha)	Legal Description	Current District Plan Zoning	Proposed District Plan Zoning	Suburb
Arthur Carman Park (Collins Avenue. Beside State Highway 1)	A	0.144	Sec 1 SO 35924	No zoning	Open Space A	Linden
		0.8933	Sec 375 Porirua District	Open Space B	Open Space A	
		0.1526	Sec 406 Porirua District	Open Space B	Open Space A	
Redwood Park (Redwood Avenue & Main Road)	B	0.1907 1.1162 3.0573	Lot 1 DP 28061 Lot 31 DP 25043 Pt Lot 3 DP 20592	Open Space B	Open Space A	Redwood
Woodman Drive Extension Reserve (Woodman Drive, above Tawa College sports ground)	C	2.1425	Lot 1 DP 80235	Outer Residential	Open Space B	Tawa
Takapu Rd Reserve (Takapu Rd)	D	1.003	Lot 101 DP 79969	Rural	Open Space B	Takapu
Caribbean Ave Reserve (Caribbean Ave)	E	79.123	Pt Sec 41 Horokiwi ROAD DISTRICT	Rural	Open Space B	Grenada North
Edward Wilson Park accessway (Cranwell St)	F	0.0152	Lot 110 DP 28720	Outer Residential	Open Space A	Churton Park
Churton Drive (Between Churton Park and Cambrian Street)	F	0.0507	Lot 3 DP 73175	Outer Residential	Open Space B	Churton Park
			Lot 2 DP 45634	Open Space A	Open Space B	
			Lot 11 DP 49619	Open Space A	Open Space B	
Sedgely Grove	G	0.3116	Lot 1 DP 360298	Outer Residential	Open Space B	Churton Park
Handly Grove	G	0.8699	Lot 401 DP 311748	Open Space A	Open Space B	Churton Park
Sheridan Terrace	H		Lot 13 DP 81822	Outer Residential	Open Space B	Newlands
Cheyne Walk play area (Cheyne Walk)	I	0.0111	Lot 103 DP 29170	Outer Residential	Open Space A	Newlands
Cromwell Point	J	0.2987	Lot 66 DP 397825	Outer Residential	Open Space B	Newlands
* Sunhaven Drive	5	0.1127	Lot 1 DP 433198	Outer Residential	Conservation	Newlands
White Pine Ave reserve (White Pine Ave)	K	0.7715	Lot 1 DP 385115	Outer Residential	Open Space B	Woodridge
79 Kentwood Drive	K	0.902	Lot 3 DP 385115	Outer Residential	Open Space B	Woodridge
Seton Nostier -near Bushland Grove entrance (Bushland Grove)	L	0.6878	Lot 1 DP 91023	Outer Residential	Open Space B	
Grenada Village Accessway (Mandeville Crescent and Mark Avenue)	M	0.0234	Lot 2 DP 46826	Outer Residential	Open Space A	Grenada Village

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Rezoning of Parks and Reserves land in the Outer Green Belt

Site Name	App Map	Area (ha)	Legal Description	Current District Plan Zoning	Proposed District Plan Zoning	Suburb
Tawa Bush reserves Accessway (End of Chastudon Place)	N		Lot 85 DP 86775	Outer Residential	Open Space B	Tawa
Tawa Bush reserves Accessway (Ordley Grove)	N	0.0135	Lot 102 DP 57939	Outer Residential	Open Space B	Tawa
Tawa Bush reserves (End of Chastudon Place)	N	0.5404	Lot 83 DP 86775	Outer Residential	Open Space B	Tawa
Old Coach Rd	O	Pt 16.067	Pt Lot 3 DP 320360	Rural	Open Space B	Johnsonville
Totara Park (Broderick Road and McLintock St)	P	0.0109	Lot 21 DP 33932 and Part of Lot 21 DP 74702	Outer Residential	Open Space B	Johnsonville
Khandallah Park (Jaunpur Crescent)	Q	0.1723 0.0111	Lot 2 DP 74365 and Lot 3 DP 74367	Outer Residential	Conservation Site 5G	Broadmeadows
Awarua St Reserves (Awarua St)	R		Lot 49 DP 29097	Outer Residential	Open Space B	Ngaio
Awarua St Reserves (Ridvan Grove)	R		Lot 41 DP 68969	Outer Residential	Open Space B	Ngaio
Kilmister Tops	S	16.9968 12.8058 18.1284	Pt Sec 58 Makara DISTRICT Sec 56 Makara DISTRICT Pt Otari A2 Pt Sec 57 Makara District	Rural	Open Space B	Wilton
* Salisbury Garden Court, Rangiohua Land. (134 Weld Street)	6	.9290	Pt Lot 11 DP 32496	Outer Residential	Open Space B	Wadestown
Karori Park (Stockden Place and Montgomery Ave)	T	0.0115	Lot 3 DP 67708	Outer Residential	Open Space B	Karori
Karori Park (reservoir) (Montgomery Avenue)	T	0.1882	Lot 42 DP 67707	Outer Residential	Open Space B	Karori
Montgomery Avenue Play Area	T	0.0866	Lot 41 DP 67707	Outer Residential	Open Space A	Karori
Karori Park (Percy Dyett Drive and Khouri Avenue)	U	0.0232	Lot 204 DP 49090 Lot 3 DP 68825	Outer Residential	Open Space B	Karori
Karori Park	U	0.0497	Lot 2 DP 80187	Outer Residential	Open Space A	Karori
Wright Hill (behind Parsons)	V	1.0446	Lot 9 DP 82773	Outer Residential	Open Space B	Karori

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Glen amd Woodhouse Ave)						
Wright Hill (Parsons Glen)	V		Lot 115 DP 71537 Lot 116 DP 71537	Outer Residential	Open Space B	Karori
Wright Hill (Mewburn Rise)	V	0.0717	Lot 97 DP 303660	Outer Residential	Open Space B	Karori
Carey's Gully (Ashton Fitchett Drive)	W		Lot 2 DP 83822. Pt of Lot 197 DP 86200	Rural	Open Space B	Brooklyn

Rezoning of Parks and Reserves Land on the South Coast

Site Name	App Map	Area (ha)	Legal Description	Current District Plan Zoning	Proposed District Plan Zoning	Suburb
View Road	X		Pt Lot 6 DP 8961	Outer Residential	Open Space B	Houghton Bay
* Houghton Bay School (Houghton Bay Road)	7	.1539 .1175	Pt Lot 1 DP 9018 Pt Lot 2 DP 9018	Outer Residential	Open Space A	Houghton Bay
* Old Quarry Site (180 Owhiro Bay Parade)	8	54.329 71.635	Lot 1 DP 26786 Lot 1 DP 61218	Open Space B	Conservation	Owhiro Bay

* Represents land that is additional to the parks and reserves classification land.

B. HERITAGE TREES – ALTERATIONS TO VOLUME ONE, CHAPTER 21 HERITAGE APPENDIX AND ASSOCIATED CHANGES TO VOLUME 3 MAPS

Heritage Trees

1. **Remove** references to the following Heritage Trees in the Heritage List, Chapter 21 Appendix and on the Planning Maps:

- 3 - 170 Raroa Road, Kelburn, Planning Map ref 11;
- 20 – 430 Karori Road, Karori, Planning Map ref 10;
- 142 – 63 Wallace Street, Mt Cook, Planning Map ref 6;
- 211 – 300 Adelaide Road, Newtown, Planning Map ref 6;
- 253 – 9 Fairview Crescent, Kelburn, Planning Map ref 11;
- 283 – 5 Corunna Avenue, Newtown, Planning Map ref 6;

These trees have either died or been removed. Refer to Attachments 9 through to 14

C. MINOR TEXT CHANGES AND CORRECTIONS TO VOLUME ONE

(Wording to be deleted by the Plan Change is shown struck through and the proposed new wording is shown underlined)

1. **Change** Rule 11.1.1.6 (Airport and Golf Course Recreation Precinct - Exceptions to night flying operations) to state:

(f) the operation of unscheduled flights required to meet the needs of ~~a national or civil defence emergency declared under the Civil defence Act 1983~~ any state of emergency declared under the Civil Defence Emergency Management Act 2002 or any international civil defence emergency”.

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Maps

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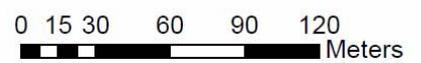
APPENDIX 2

Additional Rezoning Requested by Submitter
District Plan Change 76
Land at Karori Park, Karori be rezoned

Map U



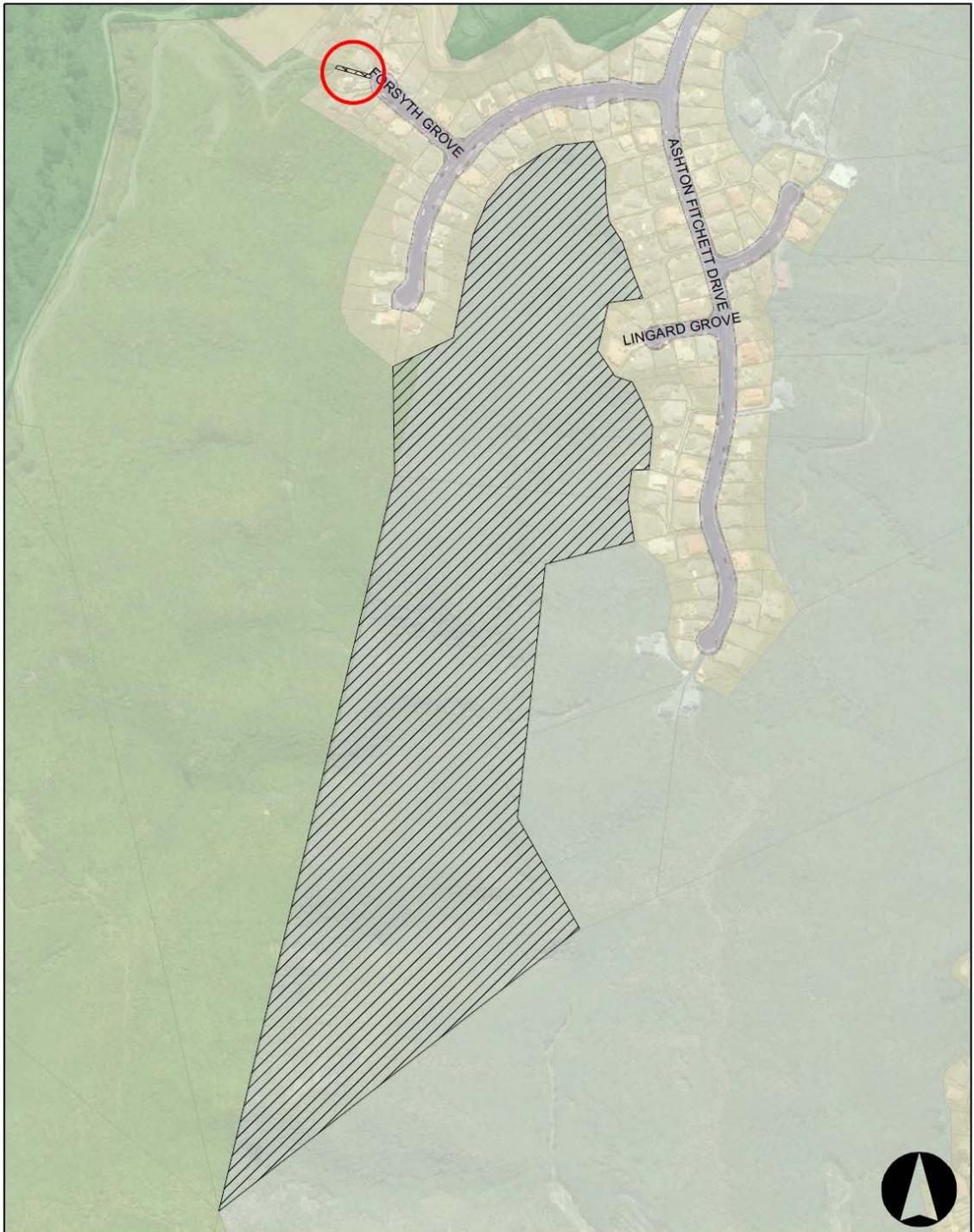
-  Area proposed to be rezoned from Outer Residential to Open Space B
-  Area to be rezoned from Outer Residential to Open Space A
-  Outer Residential
-  Open Space B
-  Open Space A



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District Plan Change 76
Land at Carey's Gully, Brooklyn to be rezoned
from Rural to Open Space B

Map W



 Area proposed to be rezoned from Rural to Open Space B

 Open Space B

 Rural

 Outer Residential

 Conservation

 Land to be rezoned Open Space B as requested by submitter 3

0 30 60 120 180 240 Meters

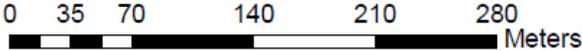
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District Plan Change 76
Land at Wright Hill, Karori to be rezoned
from Outer Residential to Open Space B

Map V



-  Area proposed to be rezoned from Outer Residential to Open Space B
-  Land to be zoned Open Space B as requested by submitter 3
-  Open Space B
-  Outer Residential



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APPENDIX 3

Summary of Submissions - Plan Change 76 General Minor Amendments

Submissions

Submission	Name	Address for Service	Wishes to be heard
1	Chris Horne	28 Kaihuia Street Northland Wellington 6012	No
<p>Submission Support the proposed amendments to the District Plan, pertaining to reserves in the Northern Reserves, Outer Green Belt and some city sites where those amendments will increase the protection of their ecological and/or landscape, heritage and recreation values.</p> <p>Decision requested None</p>			
2	G & L Wood (on behalf of Crofton Downs Neighbourhood Group)	3 Chevalier Way Crofton Downs Wellington 6035	No
<p>Submission Support the rezoning from Conservation to Open Space A of 44 Silverstream Rd (pt Lot 2 DP 58339, Lot 1 DP 65267, part lot 3 DP 65267 and pt Lot 3 DP 17482), Crofton Downs.</p> <p>Decision requested None</p>			
3	Rosamund Averton	12/17 Brougham Street Mount Victoria Wellington 6011	No
<p>Submission Generally support the proposed reclassification of sites. But requested the changes outlined below:</p> <p>Map U – extend the areas to be rezoned from the end of Percy Dyett Drive at or between Lots DP 51548 and Dp9628. This accessway leads to tracks that extend west to the skyline and east to Karori Park.</p> <p>Map V – Extend the areas to be rezoned from the end of Parsons Glen between 12/14 Fiona Grove, Lot 82 DP 45808. This track leads to Landsdowne Ave and connects to an entrance to Wrights Hill.</p> <p>Map W – Rezone Lot DP 86200 (Forsythe Grove to Hawkins Hill Rd/Ashton Fitchett to Brooklyn wind turbine route) from Rural to Open Space B.</p> <p>Rezone Upper Cave Rd to allow access to Buckley Rd. This site should be formally connected to Buckley Reserve which is an extension to the Southern Walkway.</p> <p>Rezone the bush area from Waiapu Rd (behind the KWS coffee shop) to Open Space B– Disley Road (Highbury) Reserve – Highbury Rd- KWS fenceline track and includes various tracks rich in flora/fauna. The site is historic and has possible archaeological significance.</p> <p>Rezone the area above Birdwood Reserve that links to the Messines Rd undertrack to allow for a relatively gentle zigzag through the bush.</p> <p>Decision requested Make changes outlined above.</p>			

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4	Wellington Airport Limited	C/o Gareth Powell Property & Planning Co-ordinator P.O. Box 14175 Wellington 6241	No
<p>Submissions Support the changes to Rule 11.1.1.1.6 (Exceptions to Night Flying Operations)</p> <p>Decision requested Enact the plan change as publicly notified.</p>			
5	Graham and Rosalie Fagan	28 Sunhaven Drive Newlands Wellington	No
<p>Submission Support the rezoning of 30 Sunhaven Drive, Newlands from Residential Outer to Conservation</p> <p>Decision Requested Rezone 30 Sunhaven Drive from Residential Outer to Conservation as per the notified plan change.</p>			

Further Submissions

FS1	Peter Hunt (on behalf of the Wellington Branch of the Forest and Bird Protections Society)	P O Box 4183 Wellington 6140	No
<p>Submission Support the Submission of Chris Horne that supports the proposed amendments pertaining to reserves in the Northern Reserves, Outer Green Belt and some City sites where those amendments protect ecological and/or landscape, heritage and recreation values.</p> <p>Submission Support the Submission of Rosamund Averton that requests rezoning of the bush area between Waiapu Rd to Disley Rd</p> <p>Reasons Both these areas have special flora and fauna values and merit the zoning proposed.</p>			