

District Plan

Change 80:

General Minor Amendments to District Plan Text and Maps VII

Consent Order

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under cl 14 of the First
Schedule to the Act
BETWEEN PETER and SYLVIA AITCHISON
(ENV-2016-WLG-000033)
Appellants
AND WELLINGTON CITY COUNCIL
Respondent

Environment Judge B P Dwyer sitting alone pursuant to s 279 of the Act

In Chambers at Wellington

CONSENT ORDER

- [A] Under s 279(1)(b) of the Act, the Environment Court, by consent, orders that:
- (1) Residential Standard 5.6.2.5.4 is to be amended and a new Appendix 24 inserted into the District Plan as set out in Appendix 1 attached.
 - (2) The appeal is otherwise dismissed.
- [B] Under s 285 of the Act, there is no order as to costs.

REASONS

Introduction

- [1] The Court has read the notice of appeal and the memorandum of the parties dated 22 May 2018.



Other relevant matters

[2] No person gave notice of intention to become a party to the appeal under s 274.

Orders

[3] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

DATED at Wellington this *2nd* day of August 2018



B P Dwyer
Environment Judge



Appendix 1

1. Residential Standard 5.6.2.5.4 in the District Plan is to be amended as follows:

5.6.2.5.4 Any accessory building in Residential Areas shall have a maximum height of 3.5 metres, except that accessory buildings erected between the street frontage and an existing residential building on a site in the Inner Residential Areas (as shown in Appendix 1), shall have a maximum height of 3 metres (measured from ground level directly in front of the proposed accessory building). For Lot 2 DP 14867 (1 Carlton Gore Road, Roseneath) refer to Appendix 24.

The front of accessory buildings is the side nearest to the street

2. A new Appendix 24 is to be inserted into the District Plan as follows:

Appendix 24. Controls on Accessory Buildings on Lot 2 DP 14867 Carlton Gore Road, Roseneath

The height of accessory buildings within the area marked 'A' shall have a maximum height of 3m (to be measured from ground level directly below all parts of the accessory building).

