

## 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**

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#### **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)

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.

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 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.

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**

## **APPENDIX 1**

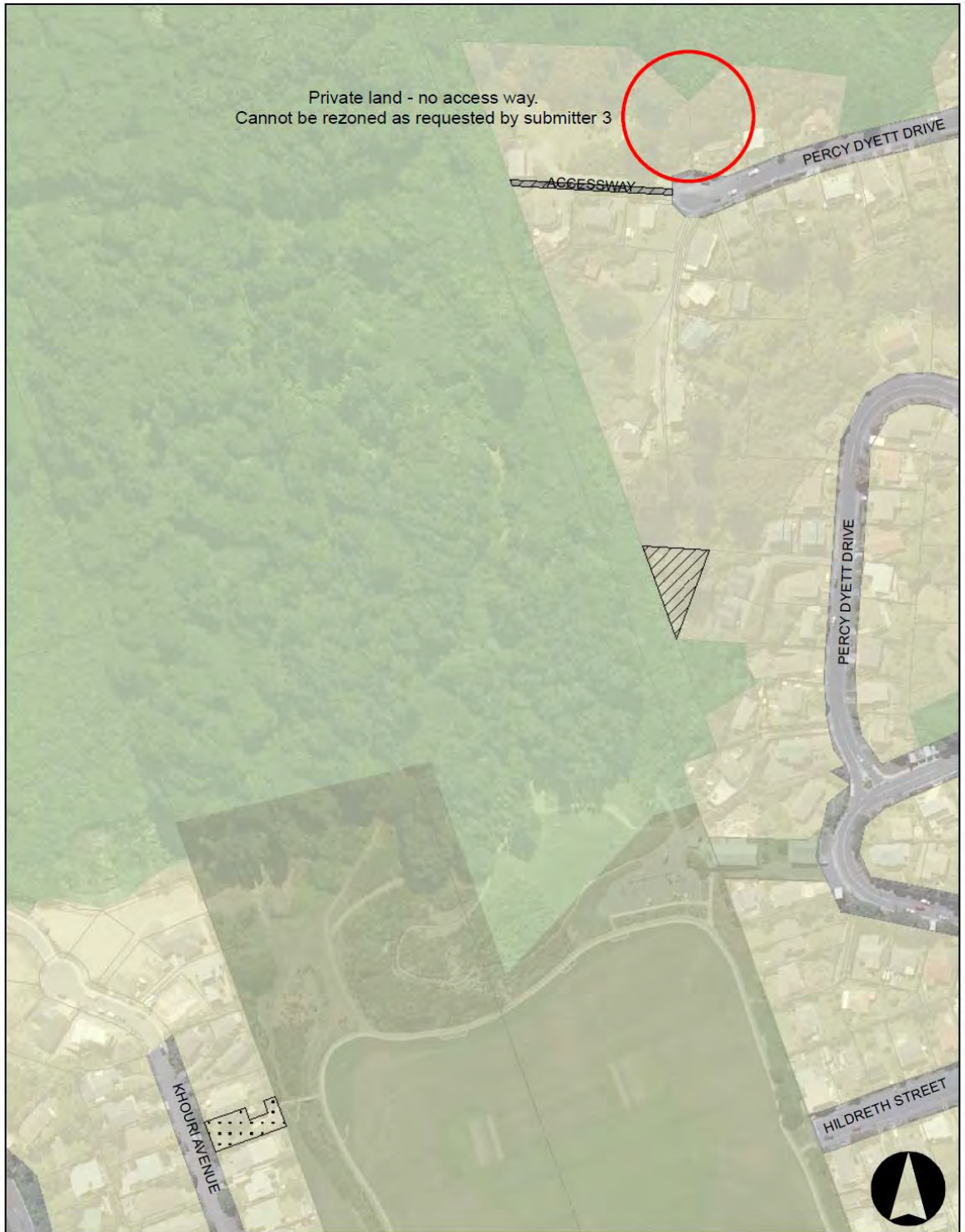









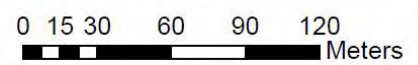
# APPENDIX 2

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

Map U

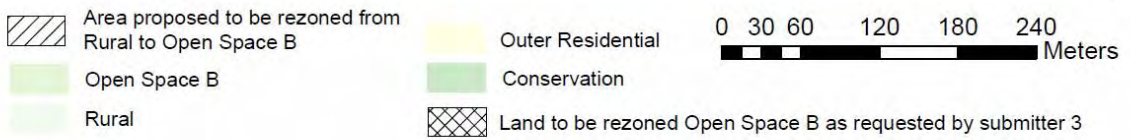
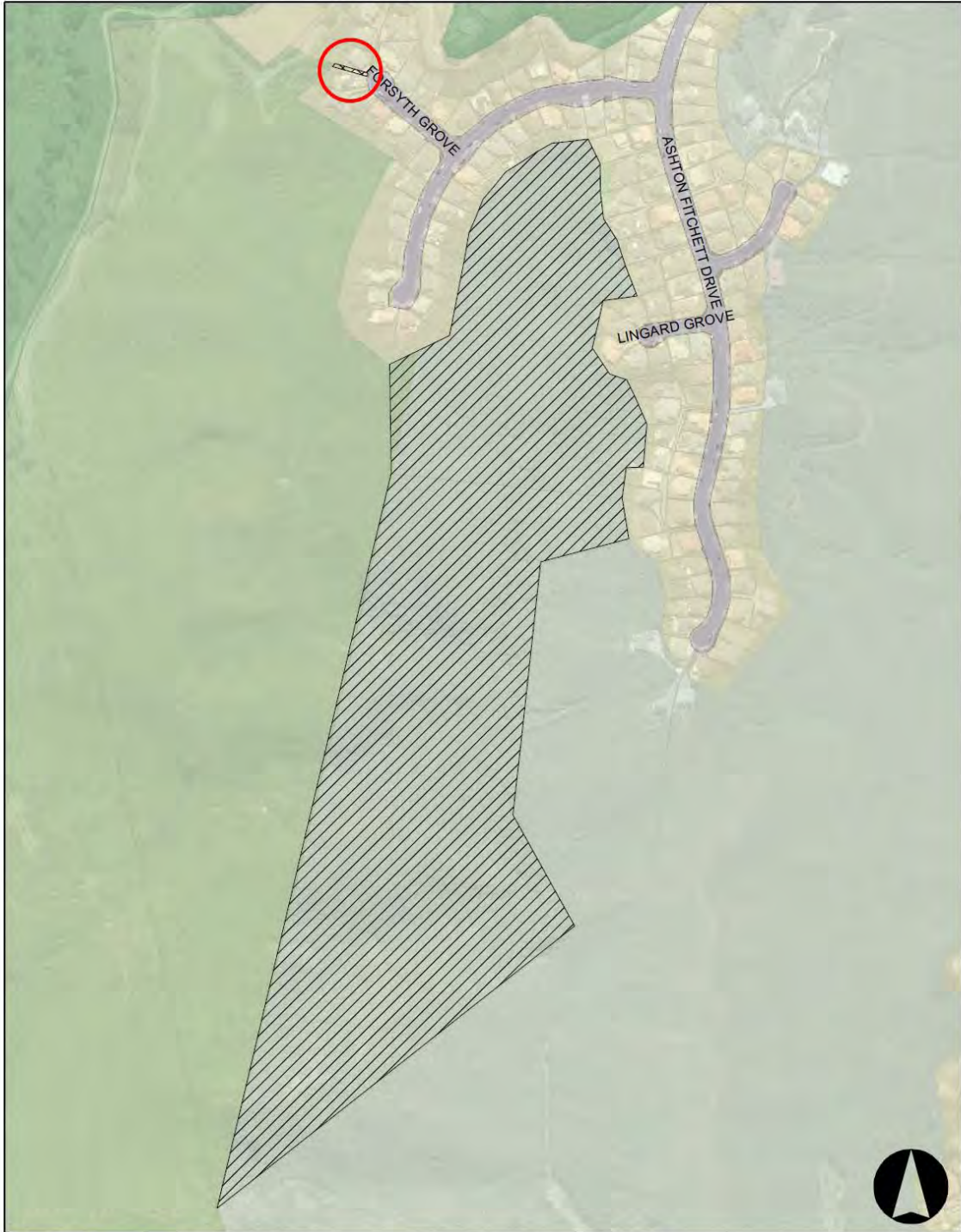


-  Area proposed to be rezoned from Outer Residential to Open Space B
-  Area to be rezoned from Outer Residential to Open Space A
-  Outer Residential
-  Open Space B
-  Open Space A



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





Map W

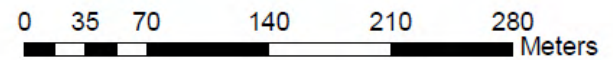


**District Plan Change 76  
Land at Wright Hill, Karori to be rezoned  
from Outer Residential to Open Space B**

**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



## 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><b>Submission</b> 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><b>Decision requested</b> None</p>			
2	G & L Wood (on behalf of Crofton Downs Neighbourhood Group)	3 Chevalier Way Crofton Downs Wellington 6035	No
<p><b>Submission</b> 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><b>Decision requested</b> None</p>			
3	Rosamund Averton	12/17 Brougham Street Mount Victoria Wellington 6011	No
<p><b>Submission</b> 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><b>Decision requested</b> Make changes outlined above.</p>			

4	Wellington Airport Limited	C/o Gareth Powell Property & Planning Co-ordinator P.O. Box 14175 Wellington 6241	No
<p><b>Submissions</b> Support the changes to Rule 11.1.1.1.6 (Exceptions to Night Flying Operations)</p> <p><b>Decision requested</b> Enact the plan change as publicly notified.</p>			
5	Graham and Rosalie Fagan	28 Sunhaven Drive Newlands Wellington	No
<p><b>Submission</b> Support the rezoning of 30 Sunhaven Drive, Newlands from Residential Outer to Conservation</p> <p><b>Decision Requested</b> 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><b>Submission</b> 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><b>Submission</b> Support the Submission of Rosamund Averton that requests rezoning of the bush area between Waiapu Rd to Disley Rd</p> <p><b>Reasons</b> Both these areas have special flora and fauna values and merit the zoning proposed.</p>			