
REPORT 2
(1215/11/IM)

**DECISION ON DISTRICT PLAN CHANGE 59:
REZONING OF 14 WESTWOOD RD, TAWA**

1. Purpose of Report

To report to the Council the recommendations of the District Plan Hearing Committee concerning District Plan Change 59 - Rezoning of 14 Westwood Rd, Tawa.

2. Recommendation

It is recommended that Council:

- Approve the recommendations of the District Plan Hearing Committee in respect of District Plan Change 59 – Rezoning of 14 Westwood Rd, Tawa, in accordance with the Map (Appendix I) in the Decision Report attached as Appendix 1.*

3. Background

Proposed District Plan Change 59 was publicly notified on 9 August 2007.

Proposed District Plan Change 59 is a private plan change. The purpose of the plan change is to rezone an 853m² portion of an existing 7293m² site from Rural to Outer Residential on the urban edge of Tawa.

One submission in opposition to the proposed rezoning and six further submissions in support of the proposed rezoning were received.

A hearing for District Plan Change 59 was scheduled for 18 December 2007 but a hearing was not needed as the submitter in opposition declined to appear. Deliberations on the plan change were therefore held by the Hearing Committee on 18 December 2007.

4. Discussion

Having considered the requirements of the Resource Management Act 1991 and the issues raised in submissions, the Hearing Committee considered that the plan change was appropriate and the Hearing Committee recommends that the Council endorse the proposal. The reasons for the recommendation are outlined in the attached decision report.

Once approved by the Council the decision will be publicly notified and served on the submitters. Submitters then have the option of appealing the matter to the Environment Court within 30 working days. If no appeals are made the plan change will become operative.

Report from: Councillor Leonie Gill Chair of the District Plan Hearings Committee on Plan Change 59 – Rezoning of 14 Westwood Rd, Tawa.

APPENDIX 1

REPORT OF THE HEARING COMMITTEE

WELLINGTON CITY COUNCIL REPORT OF THE HEARING COMMITTEE

SUBJECT:

PROPOSED DISTRICT PLAN CHANGE 59: REZONING OF 14
WESTWOOD RD, TAWA

COMMITTEE MEMBERS:

CRS GILL
AHIPENE -MERCER
MORRISON

DATE OF DELIBERATIONS:

18 DECEMBER 2007

1. RECOMMENDATIONS

- 1) *Approve District Plan Change 59 in accordance with the Map attached as Appendix I to this report.*
- 2) *Accept or reject all the submissions and further submissions to the extent that they accord with recommendation (1) above.*

2. INTRODUCTION

This decision relates to Proposed District Plan Change 59 – Rezoning of 14 Westwood Rd, Tawa.

DPC 59 is a private plan change. The purpose of the plan change is to rezone a 853m² portion of an existing 7293m² site from Rural to Outer Residential. The proposed site fronts on to Westwood Rd, Tawa and if successful would allow two residential units as a permitted activity (provided all permitted activity standards are met).

DPC 59 was publicly notified on 9 August 2007. One submission, in opposition was received. The Summary of Submissions was publicly notified on 22 September 2007 and six further submissions were received.

3. SUBMISSIONS AND DISCUSSION

3.1 Submissions

Submissions were received from:

Submitter No.	Submitter Name
1	Lloyd & Sue Chard

Further Submissions were received from:

Further Submitter No.	Submitter Name
FS1	Julian & Lesley O'Sullivan
FS2	Mark and Ann Williams
FS3	L Fraser Jackson
FS4	Marie Currie
FS5	Roy & Leanne Bridge
FS6	Peter & Debbie Sole

One original submission in opposition to the Plan Change was received. The submission raised concerns regarding the suitability of the land for residential development, the ability of the road to cope with any increase in traffic, the effect of residential development on regenerating bush and wildlife and the encroachment of urban development into Ridgelines and Hilltops area.

Six further submissions were received. Of these six further submissions FS1, FS2, FS4, FS5 and FS6 state that they support the application to rezone the property. By implication the further submissions oppose the original submission; however this is not explicitly stated in a number of these further submissions. It should also be noted that FS1, FS4 and FS5 were consulted by the applicants and provided their written approval for the Private Plan Change application. FS6 was made by the Private Plan Change applicants.

FS3 clearly states that it supports and opposes parts of the original submission. The further submitter opposes the original submission and therefore supports the application to rezone. However, much of the further submission requests consideration of matters which are beyond the scope of this Plan Change application, such as greater protection for areas of bush throughout the city. The role of further submissions is to "support" or "oppose" an original submission. The further submission process is not designed to raise new or additional matters.

3.2 Site Description and Location

3.2.1 The site is located at 14 Westwood Rd Tawa, it is 7293m² in size and is zoned Rural (refer Appendix I). The site is covered in scrub and weeds and is not used for any rural purpose. The plan change proposes to rezone 853m² of the land at the front of the site to Outer Residential with the remaining 6440m² remaining as Rural.

3.2.2 Westwood Rd is a short cul de sac that services both residential and rural properties. It has a formed footpath along its entire length on both sides. The properties to the north and west of the applicant's site are zoned rural. They rise up from the street frontage and any

APPENDIX 1

dwellings on these sites are not visible from the street. Access to the rural properties to the west of the applicants' site is from the end of Westwood Rd. Access to the rural properties to the north is obtained from the end of Westra View.

The site has already been 'earthworked' into a series of terraces or benches that rise up from the street frontage.



Photo
1¹

3.2.3 The property immediately to the east is zoned outer residential and has frontage onto Westwood Rd. The properties across Westwood Rd to the south are also zoned Outer Residential, the houses on these properties are constructed on a small area of flat land near the front of the site. The site then rises steeply behind the houses.

3.3 Landscape Assessment and Streetscape Character

3.3.1 A Landscape Assessment undertaken by Council's Landscape Architect (attached as Appendix II) indicates that any affects on the landscape and ecological values of the land as a result of subdivision and the construction of a dwelling(s) would not be significant.

¹ For reference to location of photos refer to Appendix III

APPENDIX 1

Westwood Rd contains a mix of zonings including Open Space B, Rural and Outer Residential. The mix of developed and undeveloped land gives the street a mixed character.



Photo 2



An area of Council Reserve, zoned Open Space B exists on the left hand side at the entrance to Westwood Rd. This area rises steeply and provides connection to the Outer Green belt.

Photo3

Westwood Rd also provides access to a number of rural properties. The cul de sac has no defined ending or turning area which gives the street an unfinished appearance.



Photo 4

APPENDIX 1

3.3.2 The Hearing Committee agreed with the landscape assessment and consider that as the portion of the site proposed to be rezoned contains no areas of significant vegetation and that there will be no significant adverse effects on ecological values as a result of residential development. The Hearing Committee also considered that the earthworks that have been carried out at the front of 14 Westwood Rd give the site and the street an unfinished appearance. The rezoning of the requested portion of the land and the consequential development of residential dwellings will alter the streetscape and give it a more completed “look”. While this will result in a higher degree of residential character in the street the Rural and Open Space zoned land will continue to provide a sense of space and openness to the street.

3.4 Ridgelines and Hilltops Overlay

3.4.1 The site is located within the Ridgelines and Hilltops Overlay. The Ridgelines and Hilltops Overlay was included in the District Plan by way of Plan Change 33 which was publicly notified in November 2004.

Plan Change 33 is currently under appeal and is not yet operative. The Act makes no provision for private variations to plan changes and therefore it is not possible for the applicants to apply to remove the Ridgelines and Hilltops Overlay from a site by way of a private application.

The Applicants have requested that at a later stage Council seek a variation (or a plan change, once the Plan Change 33 becomes operative) to Plan Change 33 to alter the Ridgelines and Hilltops Overlay to contain only that portion of the site zoned Rural.

The encroachment of urban development into the Ridgeline and Hilltop Area is one of the issues raised by the submitter in opposition to his proposal and the Hearing Committee consider it important to assess the suitability of the site for residential development having regard to the Ridgelines and Hilltops Overlay.

3.4.2 The Ridgelines and Hilltops Overlay is primarily a visual amenity overlay and applies mainly to land zoned Rural and Open Space (with a few exceptions), it does not prevent development but provides a framework within which development can be managed. When development is proposed within the Ridgeline and Hilltops Overlay consideration should be given to:

- ensuring development does not adversely effect that character of the landscape;
- ensuring buildings and earthworks are sited and designed to avoid being visually obtrusive; and
- ensuring skyline effects are minimised in relation to district wide community and neighbouring views.

The Hearing Committee considered any development on this site will be below any skyline when viewed from the street as the remainder of the site rises up behind the area requested to be rezoned. In addition, there will be no effect on any long range community or district wide views as any dwellings will only be visible from the immediate street environment.

3.4.3 The Hearing Committee was of the opinion that although this site is located within the Ridgelines and Hilltops overlay, residential development of this site would not have any adverse effects the integrity of the overlay due to its location adjacent and opposite

APPENDIX 1

other residential properties, its position below the skyline and position immediately fronting a formed road with footpath.

- 3.4.4 The Hearing Committee considered that while it is possible that the site could remain within the Overlay, while zoned Outer Residential, consideration would need to be given to the removal of the Ridgelines and Hilltops Overlay at a later stage.

3.5 Traffic

- 3.5.1 The submission in opposition also raised concerns regarding the ability of the street to accommodate any increase in traffic that will result from residential development of the site. The Hearing Committee had regard to written comments from the Council's Chief Transport Engineer who indicated that Westwood Rd would easily be able to accommodate the small levels of new vehicular traffic that would be generated by development of this site and therefore the Hearing Committee consider that there will be no significant adverse traffic effects as a result of the development of this site.

4. RMA CONSIDERATIONS

The purpose of the Resource Management Act 1991 (the RMA) is to promote the sustainable management of natural and physical resources. The Council has additional responsibilities under section 7 of the Act requiring it to have particular regard to:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment.

Section 32 of the Act sets out a requirement to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule, or method in the District Plan. The Hearing Committee considers that on balance rezoning the part of the site fronting Westwood Road would be the most efficient and effective means of meeting the objectives and policies of the District Plan. In particular this option will enable appropriate residential development to front Westwood Road while retaining the elevated and visually exposed part of the site for rural type land uses while minimising the potential adverse effects on adjoining residential neighbours. In this regard the rezoning is considered the most efficient means of meeting the requirements under Part 2 (sections 5 to 8) of the Act.

5. CONCLUSION

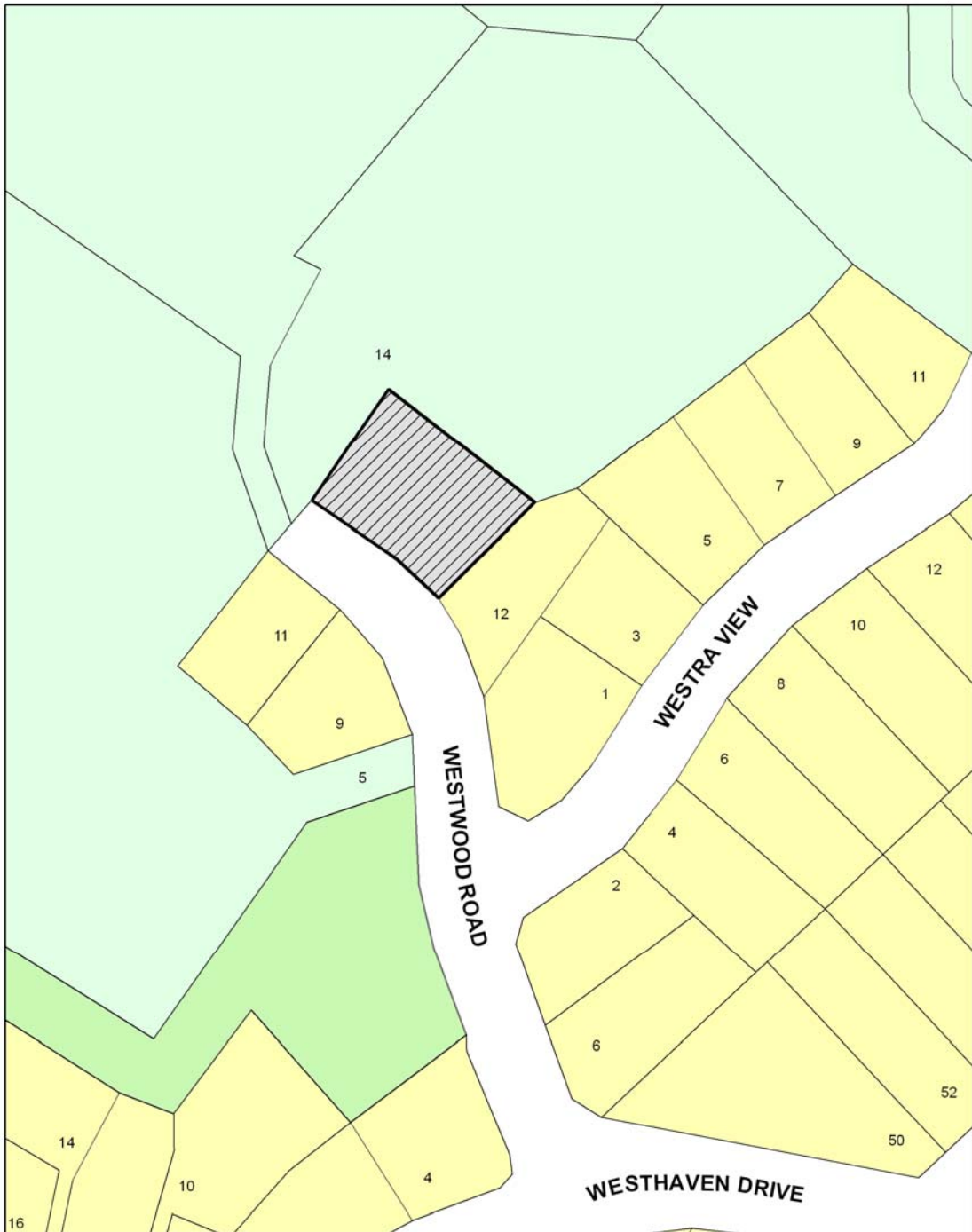
The Hearing Committee considers that development of the site will not adversely affect any community or district wide views and the rezoning of the site to Outer Residential will have no significant landscape or ecological effects.





The Hearing Committee also considers that the rezoning, which will enable the construction of up to two dwellings as a permitted activity (subject to any dwellings meeting the permitted activity standards) will have the positive effects of 'finishing' the streetscape.

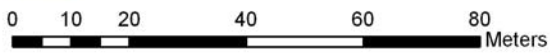
Leonie Gill
Chair, Hearing Committee
District Plan Change 59 –
Rezoning of 14 Westwood Rd, Tawa.

APPENDIX 1 – Appendix I

Proposed District Plan Change 59 - Rezoning of 14 Westwood Road, Tawa



-  Land currently zoned Rural to be zoned Outer Residential
-  Rural Area
-  Outer Residential Area
-  Open Space B



Landscape Assessment

**Plan Change 59
14 Westwood Road**

Date: 28 August 2007

The Site



The site requiring a plan change from rural to residential zoning is within a larger land parcel zoned rural. The piece of land to be created will be 853 m² and is located at the street frontage along Westwood Road and adjoins existing outer residential properties. The site has good access from Westwood Street. Extensive earthworks have been carried out in preparation for a new dwelling by the previous owner. The site is well vegetated with grass and some native regenerating shrubs and weeds at the rear of the site.

The Proposal

Subdivision of 853 m² lot at the street frontage is proposed. Earthworks have already been carried out and construction of two new dwellings is visually compatible with the existing streetscape within Westwood Road.

Assessment

The subdivision of this size land parcel will not contribute to unnecessary fragmentation of the land or to any adverse visual impact on the skyline or hilltops. The proposed location of 2 dwellings is well matched to the existing pattern of houses and streetscape character of the surrounding area.

Affects on the landscape or ecological values of the land due to subdivision are not significant.

I believe that Option 1 as proposed by the applicant is the acceptable option. The balance lot will remain as rural land. The proposed new Lot will become Outer Residential.

Angela McArthur
Landscape Architect
Urban Design Policy
Urban Planning and Transport
Ph: (04) 801 3451
E-Mail: Angela.McArthur@wcc.govt.nz

Viewing Positions for Photographs

