

Proposed District Plan Change No. 28 – Non-notification Statements in the Operative District Plan

CHANGES TO THE WELLINGTON CITY DISTRICT PLAN

This document details changes to the Wellington City District Plan to incorporate an amendment to the non-notification statements that are used throughout the Plan. All the changes are to Volume One, the Objectives, Policies and Rules section of the District Plan.

A. DETAIL OF THE CHANGES – GENERAL CHARACTER:

1. Amend the 'Non-notification' statement in:

€ 79 rules in the Operative District Plan, as set out in Table One

All the changes would insert the following words to the 'Non-notification' statements:

“notice of applications need not be served on affected persons”

Most of the individual 'Non-notification' statements use the same structure in their wording. They would be amended as follows (the example is taken from Rule 5.2.1):

“The written approval of affected persons will not be necessary in respect of items 5.2.1.1 to 5.2.1.3. Notice of applications need not be served on affected persons and applications need not be notified.”

All the 'Non-notification' statements that have the same structure are highlighted in grey in the attached schedule (Table One).

B. DETAIL OF THE CHANGES – SPECIFIC RULES:

A number of the rules have 'Non-notification' statements that have different structures in their wording. They may also use different mechanisms to determine whether an application is notified or not notified.

The proposed change to the 'Non-notification' statements of each of these rules is detailed below:

Residential Area:

2. Rule 5.3.10, for two or more household units in Thorndon and Mt Victoria, would be amended to read:

“The written approval of affected persons will not be necessary in respect of items 5.3.10.1 - 5.3.10.3. Notice of applications need not be served on affected persons and applications need not be notified except where the Rules 5.1.3.2, 5.1.3.3, 5.1.3.4 and 5.1.3.5 are not met. Where this occurs the presumption toward non-notification will not apply.”

3. Rule 5.3.11, for demolition of buildings constructed before 1930 in Thorndon and Mt Victoria, would be amended to read:

“Where an application contains details on the outcome of consultation with the local residents’ association about the possible demolition of the building, and the Council is able to verify (in writing) that such consultation has occurred and the outcome of such consultation, then the approval of affected persons will not be necessary, notice of applications need not be served on affected persons and applications need not be notified.

If no information on the outcome of the consultation is provided, or the Council is unable to verify that consultation has occurred and the outcome of that consultation, then this non-notification clause will not apply.”

Suburban Centres:

4. Rule 7.3.2, for buildings and structures that do not meet conditions for permitted activities, would be amended to read:

“The written approval of affected persons will not be necessary in respect of:

⊄ item 7.3.2.4; and

⊄ design, external appearance and siting (provided consent is not also required for one or more of the matters in 7.3.2.1, 7.3.2.2, 7.3.2.3, 7.3.2.5).

Notice of applications need not be served on affected persons and applications need not be notified.

Central Area:

5. Rule 13.3.2, for buildings and structures that do not meet conditions for permitted activities, would be amended to read:

“The written approval of affected persons will not be necessary in respect of:

- ∄ items 13.3.2.3, 13.3.2.4, 13.3.2.5, 13.3.2.7, 13.3.2.8; and
- ∄ design, external appearance and siting (provided consent is not also required for one or more of the matters in 13.3.2.1, 13.3.2.2, 13.3.2.6).”

Notice of applications need not be served on affected persons and applications need not be notified.

Conservation Sites:

6. Rule 19.3.2, for the formation and construction of vehicle parking areas, would be amended to read:

“Applications involving provision of fewer than 5 carparks will not require the written approval of affected persons, notice of applications need not be served on affected persons and applications need not be notified.

Heritage:

7. Rule 21.2.2, for additions and alterations to heritage buildings, would be amended to read:

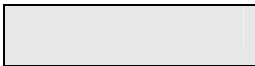
“The written approval of affected persons will not be necessary in respect of Item 21.2.2.1, notice of applications need not be served on affected persons and the application need not be notified except that:

- ∄ where a building is subject to a heritage order from a heritage protection authority, Council will notify the authority
- ∄ where a heritage item is registered by the New Zealand Historic Places Trust, Council will notify the Trust.”

Table One:

Non-notification statements to be amended in the Operative District Plan

Key:



All the rules that are shaded have the standard structure to their wording

Chapter of the District Plan:	Rule Number:	Activity:	Purpose of the Rule:
Residential Area	5.2.1	Controlled	Early childhood centres
	5.2.2	Controlled	Non-residential activities in existing non-residential buildings and extensions to existing non-residential buildings (one of four items do not require written approvals)
	5.2.3	Controlled	Residential buildings in a residential character area (Thorndon and Mt Victoria North)
	5.2.4	Controlled	Two household units in parts of the Inner Residential Area – assessed against design guide
	5.2.5	Controlled	Residential subdivision – less than 5 allotments and company leases, cross lease and unit title subdivisions
	5.2.6	Controlled	Residential buildings in the Tawa flood hazard area
	5.3.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (two of three items do not require written approvals)
	5.3.2	Restricted Discretionary	Work from home activities that do not meet permitted activity conditions (one of six items do not require written approvals)

	5.3.4	Restricted Discretionary	Multi-unit development – assessed against design guide
	5.3.5	Restricted Discretionary	Residential buildings and structures on legal road (garages, car decks, driveway structures)
	5.3.6	Restricted Discretionary	Residential buildings within the fault line hazard area
	5.3.7	Restricted Discretionary	Residential buildings within 30m of high voltage transmission lines
	5.3.8	Restricted Discretionary	Signs that do not meet permitted activity conditions
	5.3.10	Restricted Discretionary	Multi-unit development in Thorndon and Mt Victoria – assessed against design guide
	5.3.11	Restricted Discretionary	Demolition of pre-1930 buildings in Thorndon and Mt Victoria
	5.3.12	Restricted Discretionary	Residential buildings in the Tawa flood hazard area
	Appendix 13	Restricted Discretionary	Residential buildings in Stockden Place, Karori
Suburban Centres	7.2.1	Controlled	Buildings in the Thorndon and Newtown Character Areas - assessed against design guides
	7.2.2	Controlled	Buildings in Shelley Bay - assessed against design guide
	7.2.3	Controlled	Company lease, cross lease and unit title subdivisions
	7.2.5	Controlled	Buildings and earthworks in the Tawa flood hazard area
	7.3.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (two of seven items do not require written approvals)
	7.3.2	Restricted Discretionary	Buildings that do not meet permitted activity conditions (not all the items require written approvals)
	7.3.3	Restricted Discretionary	Buildings in Shelley Bay - assessed against design guide

	7.3.4	Restricted Discretionary	Activities and buildings involving more than 120 parking spaces
	7.3.5	Restricted Discretionary	Multi-unit residential development – assessed against design guide (two of three items do not require written approvals)
	7.3.6	Restricted Discretionary	Critical facilities within a hazard area
	7.3.7	Restricted Discretionary	Buildings and earthworks in the Tawa flood hazard area
	7.3.8	Restricted Discretionary	Buildings and earthworks in the Takapu Valley flood hazard area
Institutional Precincts	9.2.1	Controlled	Buildings – assessed for vehicle parking and against design guide
	9.2.2	Controlled	Company lease, cross lease and unit title subdivisions
	9.3.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (one of five items do not require written approvals)
Airport Precinct	11.3.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (three of ten items do not require written approvals)
Golf Course Precinct	11.6.1	Restricted Discretionary	Activities and buildings that do not meet permitted activity conditions (three of nine items do not require written approvals)
Central Area	13.2.1	Controlled	Buildings – assessed against design guide
	13.2.2	Controlled	Company lease, cross lease and unit title subdivisions
	13.3.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (three of seven items do not require written approvals)
	13.3.2	Restricted Discretionary	Buildings that do not meet permitted activity conditions (not all the items require written approvals)

	13.3.3	Restricted Discretionary	Activities and buildings involving more than 70 parking spaces
	13.3.4	Restricted Discretionary	Critical facilities within a hazard area
	13.3.5	Restricted Discretionary	Buildings within the fault line hazard area
Te Ara Haukawakawa Precinct	13.15.1	Controlled	Buildings in Thorndon Quay – assessed against design guide
	13.15.2	Controlled	Company lease, cross lease and unit title subdivisions in Thorndon Quay
	13.16.1	Restricted Discretionary	Activities that do not meet permitted activity conditions (three of six items do not require written approvals)
	13.16.2	Restricted Discretionary	Buildings that do not meet permitted activity conditions (two of five items do not require written approvals)
	13.16.3	Restricted Discretionary	Buildings – assessed against design guide
	13.16.4	Restricted Discretionary	Activities and buildings involving more than 70 parking spaces
	13.16.5	Restricted Discretionary	Vehicle parking in the airspace above the railyards
	13.16.6	Restricted Discretionary	Critical facilities within a hazard area
	13.16.7	Restricted Discretionary	Buildings within the fault line hazard area
	13.16.8	Restricted Discretionary	Subdivision, except in Thorndon Quay
Stadium Site	13.21.1	Controlled	Buildings on the Stadium site – assessed against design guide
	13.22.1	Restricted Discretionary	Activities at the Stadium that do not comply with permitted activity conditions (one of four items do not require written approvals)

	13.22.2	Restricted Discretionary	Stadium buildings that do not meet permitted activity conditions (two of three items do not require written approvals)
Rural	15.2.1	Controlled	Factory farming of animals in buildings
	15.2.2	Controlled	Goat farming
	15.3.1	Restricted Discretionary	Rural activities and residential activities that do not meet permitted activity conditions
	15.3.2	Restricted Discretionary	Work-from-home activities that do not meet permitted activity conditions (two of six items do not require written approvals)
	15.3.3	Restricted Discretionary	Residential buildings that do not meet permitted activity conditions (one of five items do not require written approvals)
	15.3.4	Restricted Discretionary	Signs that do not meet permitted activity conditions
	15.3.5	Restricted Discretionary	Residential buildings within the fault line hazard area
	15.3.6	Restricted Discretionary	Residential buildings within 40m of high voltage transmission lines
	15.3.7	Restricted Discretionary	Earthworks that do not meet permitted activity conditions
Open Space	17.2.1	Restricted Discretionary	Recreational activities that do not meet permitted activity conditions
	17.2.2	Restricted Discretionary	Signs that do not meet permitted activity conditions
	17.2.3	Restricted Discretionary	Recreational buildings in Open Space A that do not meet permitted activity conditions (one of four items do not require written approvals)
	17.2.4	Restricted Discretionary	Modification of indigenous vegetation that does not meet permitted activity conditions
Conservation Sites	19.2.1	Controlled	Modification of exotic vegetation that is not provided for as a permitted activity

	19.3.1	Restricted Discretionary	Signs that do not meet permitted activity conditions
	19.3.2	Restricted Discretionary	Vehicle parking areas (applications for fewer than five parks do not require written approvals)
	19.3.3	Restricted Discretionary	Modification of indigenous vegetation that does not meet permitted activity conditions
Heritage	21.2.1	Controlled	Signs on heritage items
	21.2.2	Controlled	Additions and alterations to heritage buildings
	Appendix 1	Controlled	Signs in the Mt Street Cemetery Heritage Area
Utilities	23.2.1	Controlled	Utility structures above ground
	23.2.3	Controlled	Subdivision to create an allotment for a utility
	23.2.4	Controlled	Antennas that do not meet the permitted activity conditions for antenna size
	23.2.5	Controlled	Masts that do not meet permitted activity conditions
	23.3.3	Restricted Discretionary	Underground utility structures and underground lines in various situations

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