



SECTION 32 REPORT PROPOSED DISTRICT PLAN CHANGE 44

Section 32 Report

PROPOSED DISTRICT PLAN CHANGE 44: GENERAL MINOR AMENDMENTS TO DISTRICT PLAN TEXT AND MAPS II

1. Introduction

Section 32 of the Resource Management Act 1991 (the Act) stipulates a requirement to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule, or method in the District Plan. This Plan Change proposes to make general minor amendments to the District Plan in order to ensure its smooth functioning. Due to the nature of the proposed amendments there are only limited options available and this report has been prepared to address the section 32 requirements.

2. Context

The purpose of the Resource Management Act 1991 (the Act) is to promote the sustainable management of natural and physical resources. The District Plan is the primary vehicle for achieving the purpose of the Act. It provides for the management of activities in the Wellington City District through objectives, policies and rules. To continue promoting the sustainable management of resources over time, it is necessary to amend the district plan and respond to changes in the environment and land ownership.

No alterations are proposed to the existing objectives and policies through this proposed Plan Change. This Plan Change relates primarily to amending the District Plan planning maps, including zone changes and corrections of errors, and the text of some rules of the District Plan.

3. Process & Consultation

Since the District Plan became operative a file has been maintained of issues or items that might be dealt with by way of a change to the Plan. At least once a year more minor items have been collected and put forward as a composite plan change.

Consultation by way of a letter in early April 2006 was undertaken to clarify matters subject to this Plan Change and to identify potential concerns at an early stage.

Consultation on the entire proposed district plan change was also undertaken with those parties identified in the 1st Schedule of the RMA. The Tenth's Trust commented that "*the Trust can support this change as it makes sense and we don't foresee any cultural issues for us*"

- Ministry for the Environment
- Tenth's Trust (Te Atiawa)
- Te Runanga O Toa Rangatira Inc
- Greater Wellington (Regional Council)
- Department of Conservation

4. Options

The following three tables provide an analysis of the costs and benefits of the proposed amendments to district plan zones (Table 1), District Plan maps (Table 2) and rules (Table 3) to assess the efficiency, effectiveness and appropriateness of the proposed Plan Change.

Only two options have been considered for this assessment due to the nature of these proposed minor amendments: do nothing or to amend the District Plan as proposed.

Instead of assessing the selected cases individually, a cost/benefit and appropriateness assessment has been undertaken for each subject group: zone changes, map annotations and amendments of District Plan rules.

Table 1: Matrix of Options for the Proposed District Plan Change (Zone Changes)

	OPTION 1: Do Nothing – Retain Existing Zonings	OPTION 2: Rezone land as proposed This is the RECOMMENDED option.
Costs	<ul style="list-style-type: none"> • Environmental costs - if proposed zoning is not applied to sites with natural character or recreation values (Rural and Open Space) then these values may be lost. • Economic costs – if inappropriate zoning has to be changed at a later stage through a Private Plan Change (additional costs of compliance) or if inappropriate decisions are made when sites are not zoned appropriately • Inappropriate zoning may also result in a landowner requiring resource consent for an activity that would normally be permitted under the correct zoning • Social costs – if prospective Open Space sites become unavailable for active or passive recreational use due to inappropriate zoning and development 	<ul style="list-style-type: none"> • Environmental costs - if Open Space zone is uplifted in order to allow development (applies only in Salford Street case because this property is in private ownership). • Economic costs – costs of processing the Plan Change • Social costs – potential for the community to be unsatisfied with future use of 66 Salford Street.
Benefits	<ul style="list-style-type: none"> • Environmental benefits – no change • Economic benefits – none • Social benefits – none 	<ul style="list-style-type: none"> • Environmental benefits – future protection of Open Space and Rural zones • Economic benefits – land value is maximised with appropriate zoning, land can be fully utilised for development on Residential/Suburban Centre zones • Social benefits – reassurance is given to local community that recreation opportunities will remain available in the future (e.g. at playground and park sites)
Efficiency and Effectiveness of achieving Objectives	<ul style="list-style-type: none"> • Limited. The Plan’s objectives cannot be efficiently nor effectively achieved in terms of land use planning 	<ul style="list-style-type: none"> • High. Most efficient and effective in achieving the Plan’s objectives and policies in terms of land use planning • Guarantees the smooth functioning of the District Plan
Most appropriate for achieving Objectives	<ul style="list-style-type: none"> • Limited. Not considered appropriate, because the zoning of selected sites does not reflect the current land use (and may lead to land use conflicts and greater costs of compliance) 	<ul style="list-style-type: none"> • High. Appropriate, because proposed zone changes reflect current land use

Table 2: Matrix of Options for the Proposed District Plan Change Non-Cadastral Zone boundaries (Maps)

	OPTION 1: Do Nothing – Retain Existing Map Provisions	OPTION 2: Correct and annotate District Plan maps as proposed This is the RECOMMENDED option.
Costs	<ul style="list-style-type: none"> • Environmental costs – no change • Economic costs – if mapping errors or annotations to maps have to be changed at a later stage through a Private Plan Change or if inappropriate decisions are made when mapping errors remain in District Plan maps • Social costs – no change 	<ul style="list-style-type: none"> • Environmental costs - unlikely • Economic costs – costs of processing the Plan Change • Social costs – unlikely
Benefits	<ul style="list-style-type: none"> • Environmental benefits – no change • Economic benefits – none • Social benefits – none 	<ul style="list-style-type: none"> • Environmental benefits – unlikely • Economic benefits – land value is maximised and land can be fully utilised for development without triggering specific District Plan rules • Social benefits – unlikely
Efficiency and Effectiveness of achieving Objectives	<ul style="list-style-type: none"> • Limited. The Plan’s objectives cannot be efficiently or effectively achieved as long as District Plan maps contain zoning errors 	<ul style="list-style-type: none"> • High. Most efficient and effective in achieving the Plan’s objectives • Improves the smooth functioning of the District Plan
Most appropriate for achieving Objectives	<ul style="list-style-type: none"> • Limited. Not considered appropriate as long as District Plan maps contain mapping errors that may lead to confusion or ill-informed decisions 	<ul style="list-style-type: none"> • High. Appropriate, because proposed amendments remove mapping errors in District Plan maps • Proposed amendments also clarify the extent of a particular zone where non-cadastral zone boundaries exist

Table 3: Matrix of Options for the Proposed District Plan Change (Rules)

	OPTION 1: Do Nothing – Retain Existing Plan Provisions	OPTION 2: Amend District Plan rules as proposed This is the RECOMMENDED option.
Costs	<ul style="list-style-type: none"> • Environmental costs – if resource consent is obtained for inappropriate development due to District Plan anomalies and inconsistencies • Economic costs – if anomalies in rules have to be corrected at a later stage through a Private Plan Change or if inappropriate decisions are made when anomalies remain in District Plan rules • Social costs – potential for community to be unsatisfied with planning outcomes 	<ul style="list-style-type: none"> • Environmental costs - unlikely • Economic costs – costs of processing the Plan Change • Social costs – unlikely
Benefits	<ul style="list-style-type: none"> • Environmental benefits – no change • Economic benefits – none • Social benefits – none 	<ul style="list-style-type: none"> • Environmental benefits – unlikely • Economic benefits – reduced risk of misinterpretation of rules due to improved clarity • Social benefits – Yes, for example by clarifying and revising the non-notification statement for rule 7.3.10 and the definition of Antenna and Utility Structure, and generally increasing consistency throughout the District Plan
Efficiency and Effectiveness of achieving Objectives	<ul style="list-style-type: none"> • Limited. The Plan’s objectives cannot be efficiently nor effectively achieved as long as District Plan rules are silent, inconsistent and/or contain anomalies 	<ul style="list-style-type: none"> • High. Most efficient and effective in achieving the Plan’s objectives • Improves the smooth functioning of the District Plan
Most appropriate for achieving Objectives	<ul style="list-style-type: none"> • Limited. Not considered appropriate as long as District Plan rules are silent, inconsistent and/or contain anomalies 	<ul style="list-style-type: none"> • High. Appropriate, because proposed minor amendment improve consistency throughout the District Plan