

HUTT CITY COUNCIL

RM16-4-7C
2 February 2006

Mayor and Councillors HUTT CITY COUNCIL

**PLAN CHANGE 7 SUBDIVISION ALLOTMENT DESIGN STANDARD
EXEMPTIONS**

Report No. C2006/1/5(3)

RECOMMENDATION:

That District Plan Change 7 (Subdivision Allotment Design Standard Exemptions) be made operative as promulgated.

1. SIGNIFICANCE OF DECISION

- 1.1 The decision sought does not reach any of the thresholds set out in Part 1 of the Decision-making Checklist. The level of compliance required with the Local Government Act 2002 decision-making requirements is therefore lower and consequently it was not necessary to complete Part 2 of the Checklist.

2. BACKGROUND

- 2.1 Council officers have received inquiries about the interpretation of rule 11.2.2 (p) in the subdivision chapter of the District Plan. The current wording of the rule could be open to interpretation. Proposed Plan Change 7 seeks to clarify the situation and make it clear that a residential allotment can only be subdivided below the minimum size permitted in the District Plan when the dwellings (or a staged development) existed prior to the notification of the District Plan in 1995. The proposed rule 11.2.2 (q) also makes it clearer that all residential allotments proposed by a subdivision under the rule must already contain a dwelling.

3. COMMENT

- 3.1 The Strategy and Policy Committee resolved to promulgate Plan Change 7 at the meeting on 12 October 2005. A copy of report S&P2005/5/2 on Plan Change 7 that was presented at the meeting is attached as Appendix I.

- 3.2 The proposed plan change was advertised in the Hutt News on 8 November 2005; with notification also sent to all holders of the District Plan and other parties that have requested to be notified on all plan changes. The submission period closed on 9 December 2005 and no submissions were received on this plan change.
- 3.3 The purpose of the plan change is to clarify part of the plan that could be open to interpretation. This is explained fully in the report that is attached as Appendix I.
- 3.4 There were some minor changes made to the plan change after the Strategy and Policy meeting. The word "where" was added to the beginning of clauses 11.2.2(p)(ii) and 11.2.2(q)(ii). The plan change as promulgated is included as Appendix II.

4. APPENDICES

Appendix I: Plan Change 7 report to Strategy and Policy Committee meeting on 12 October 2005 (S&P2005/5/2).

Appendix II: Plan Change 7 as promulgated.

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