



**Report** 06.546  
**Date** 5 September 2006  
**File** WP/02/14/02 & X/26/1/1

**Committee** Environment  
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## Regional Council Input into District Council Planning

### 1. Purpose

To inform the Committee of Regional Council input into the statutory resource management processes of territorial authorities in the region.

### 2. Overview

#### 2.1 Resource Consents

Nine notified consents have been received since the last Environment Committee report. Eight were in the Wairarapa area and submissions were made on seven of these. Comments have also been made on five non-notified resource consent applications received from Carterton District Council.

The following paragraphs provide information on three of the more significant notified resource consents.

##### 2.1.1 Chopsticks Partnership, Masterton District Council

Chopsticks Partnership applied for subdivision consent for a 16-lot subdivision on Riversdale Road, Riversdale. The proposal was for 15 residential lots with the remaining lot being the balance of 82 hectares. Submissions closed on 20 September 2006.

Greater Wellington made a submission raising the concern of 'bigger picture' development pressures in Riversdale as well as specific concerns with the development itself. The proposed Wairarapa Combined District Plan recognises the issue of development pressure in key coastal settlement areas and identifies Riversdale as one of the key areas proposed for a management plan. Greater Wellington's submission looked to endorse this principle and asks for Riversdale to be given key priority, considering the obvious development pressures.

The submission also raised concerns about the treatment of wastewater from the subdivision site, issues of dealing with storm water and sediment control during the construction phase, and soil conservation on the site itself.

### 2.1.2 Pinehaven Orchard Ltd, South Wairarapa District Council (SWDC)

This subdivision is for 8 lots on former orchard land to the North of Greytown. Greater Wellington opposed the application until the issue of the possible effects of onsite wastewater disposal on SWDC's water supply bore in the Greytown Park is resolved. The applicant is now proposing a higher standard of wastewater treatment to meet SWDC concerns.

### 2.1.3 Martinborough Coastal Developments Ltd, Tora, SWDC

This development is a 24 lot subdivision at Tora on the Wairarapa east coast. The lots are in clusters on the coastal flats with a communal wastewater system. The majority of the 58.4 ha area is a steep coastal escarpment which will be held in an open space covenant. Greater Wellington opposed the 5 lots which were situated on the seaward side of the road on natural character grounds and also submitted on hazard mitigation, heritage and access issues.

A joint hearing was held with GW and SWDC. Resource consents for wastewater were granted by Greater Wellington and consent for the development by SWDC, with the exception of the 5 seaward lots. Both of these consents were appealed to the Environment Court by the applicant (primarily on the exclusion of the 5 lots) and by D Riddiford (with various members of the community as parties to the appeal), who opposed the consent applications.

On advice from Frank Boffa of Boffa Miskell, an amended plan was prepared which added 5 lots to the existing clusters to the landward side of the road.

This plan and other conditions appealed were discussed at an Environment Court mediation meeting on 12 September. The main issue of the relocated 5 lots and most of the other minor matters were eventually accepted by all parties with the exception of D Riddiford. There was vigorous debate on the wastewater system, in particular the disposal field location and proximity to the coast and river mouth, and the applicant agreed to investigate alternative areas for disposal.

## **2.2 District Plans**

### 2.2.1 Proposed Wairarapa Combined District Plan

The Proposed Wairarapa Combined District Plan was publicly notified on 26 August 2006. Closing date for submissions is 30 October 2006.

This Plan is the first of the next generation of district plans to be produced and the first in New Zealand to combine the planning activities of three councils into one plan.

While it aims to provide consistency across the Wairarapa, particularly in relation to rural – residential subdivision development pressures, this does not imply a desire for uniformity. Maintaining the distinctive character of different areas and settlements is acknowledged in a number of objectives and policies. As would be expected given the importance of primary production for the area, there is an emphasis on enabling farming and encouraging innovative uses of the land while protecting rural character and amenity values.

## Specific comments

The Plan has been extensively modified since the non-statutory draft was produced in December 2004. With that draft, Greater Wellington had particular concerns about biodiversity issues, coastal planning and development and the proposal of a one hectare minimum subdivision area as a permitted activity in the rural area.

Indigenous biodiversity is now a separate chapter. There is a commitment to completing a biodiversity strategy by 2008 which Greater Wellington supports and will work with the Councils to complete. However, the policy in this chapter is directed at the protection of scheduled significant natural areas and features. We are considering whether policy for biodiversity outside these areas may be lacking until the Strategy is completed, and appropriate provisions added to the Plan. Additionally, the emphasis is on 'indigenous biodiversity', rather than recognising the value and importance of ecosystem services – managing the ecological systems and processes which underpin human uses of the environment.

The coastal environment section has been extended to cover many of the principles and policies of the *Wairarapa Coastal Strategy* (March 2004). This Strategy was a combined effort of the councils and iwi, with project leadership and management by Greater Wellington, and involved the preparation of resource inventories and extensive community consultation.

From the Strategy, the major policy direction in the Plan is to protect the natural character and relatively undeveloped nature of this coast. The Plan encourages further development at existing settlements while acknowledging the desire to retain their individual character. Subdivision is treated as a discretionary activity and the Plan promotes the use of the coastal strategy and the accompanying guidelines '*Caring for Our Coast*' for designing low impact developments.

The proposal in the draft Plan of one hectare subdivision in the rural area as a controlled activity was of concern to Greater Wellington. There has been increased development activity in the rural Wairarapa and on the outskirts of the settlements in recent years. Greater Wellington has been concerned about the potential for cumulative adverse environmental effects from sporadic and 'unplanned' development.

The notified Plan still proposes a minimum of one hectare for Masterton and Carterton districts, with two hectares in South Wairarapa in recognition of the greater development pressure in that area. There have however been several changes to the rules which combine to provide more controls.

In the *controlled activity* category, there is now a cap on one hectare lots set at four for each subdivision application, and there are standards to reduce the visual impact from roads, and to manage access, waste water disposal and reverse sensitivity issues. A new *restricted discretionary activity* allows for greater numbers and smaller lot sizes to encourage innovative developments and cluster designs. *Discretionary activities* apply when the standards for controlled activities cannot be met or where there is an environmental constraint such as a flood hazard area or access to a state highway. Additionally, some developments may now have a *non-complying activity* status. Non-complying activities are accompanied by a strongly worded policy to prevent subdivision below the minimum one hectare.

The rural area also has a Rural (Special) Zone which acknowledges different management needs because of environmental or land use constraints and which allows for more assessment and control of land uses and subdivision through the rules.

The utilities and energy chapter has objectives for the protection of network utilities and transport routes to allow their efficient operation. This chapter does include an objective to move towards more sustainable energy use by encouraging energy efficiency and generation of energy from renewable resources.

At this stage, comments are still being collated, but it is likely that comment will also be made on the following:

- Flood hazard. This will probably be a joint submission with the three councils to provide further information on flood hazard areas.
- Use of the Special Zone. The zone could be used more extensively to provide buffers around areas of environmental vulnerability, such as public water supply bores.
- Soil stability. There appears to be no ‘alert’ mechanism to consider site stability with subdivision.

#### 2.2.2 Upper Hutt City Council

No Plan Changes have been notified since the last Committee report.

#### 2.2.3 Hutt City Council

One Plan Change has been notified since the last Committee report. Since the District Plan appendices were last printed, there has been a number of additions to the New Zealand Historic Places Trust register of heritage items. The purpose of this proposed plan change is to update Appendix Heritage 1 to reflect the current content of the register.

The main features of the proposed plan change are:

1. The addition of two new historic places (the Eastbourne Borough Omnibus Service Garage and the Lower Hutt Civic Centre Area) to Appendix Heritage 1 reflecting their registration by NZHPT.
2. The transfer of two historic places (Rona Bay Wharf and Collett House) from Appendix Heritage 2 to Appendix Heritage 1 reflecting their registration by NZHPT.
3. The amendment of legal descriptions, addresses and the like.

#### 2.2.4 Wellington City Council

Five Plan changes have been notified since the last Committee report. Staff are currently reviewing the proposed changes and will report on any comments at the next Committee meeting.

#### Plan Change 45: Urban Development Area & Structure Plans

In October 2003, the Wellington City Council approved the Northern Growth Management Framework (NGMF) that established a strategy for the urbanisation of existing rural land in the northern suburbs of the city. As part of the ongoing implementation of the NGMF, District Plan Change 45 is proposed to provide for the rezoning of land centred on Lincolnshire Farm – bounded by the motorway, Grenada Village, Woodridge, Horokiwi, and Grenada North.

The aim is to provide for sustainable urban growth in this area, consistent with the vision, objective, themes, and values of the NGMF.

The key elements of Proposed District Plan Change 45 are:

- The rezoning of the land from Rural to Urban Development Area
- The introduction of new Chapters 27 & 28 into the District Plan, including the objective, policies, and rules for managing new urban development. The rules provide for:
  - The continuation of existing rural activities
  - The assessment of all subdivision and land development activities as Discretionary Activities (Restricted)
- The introduction of a Structure Plan under the rules that establishes a framework for the assessment of subdivision and land development proposals in the Lincolnshire Farm Area. The Structure Plan provides for:
  - 800-900 new households in a variety of densities and styles
  - A business area of around 45 hectares providing employment opportunities.
  - New road connections as well as recreational and ecological links and protection.
  - A 4-lane link road between the motorway and Petone.

## Plan Change 46: Subdivision Design Guide Review

The existing Subdivision Design Guide was included in the Wellington City District Plan when notified in 1994. When the Northern Growth Management Framework was adopted in October 2003, changes to the District Plan were programmed, including a review of the Subdivision Design Guide.

The revision of the Design Guide brings it in line with more recent thinking on subdivision design and development, including new content on:

- Environmental Sustainability (e.g. – streams, landforms, and stormwater).
- Designing for diversity (e.g. – mixed uses and a range of lot sizes).
- Enhancing safety through good natural surveillance.

The Subdivision Design Guide will be used in conjunction with Structure Plans for large greenfield subdivisions in the northern suburbs, but will also be applied to other large infill subdivisions elsewhere in the city.

## Plan Change 48: Central Area Review

Wellington City Council has undertaken a full review of the District Plan provisions of the Central Area. The resulting proposed plan change includes completely revised chapters for the Central Area, new design guides for the Central Area, and amendments to the General Provisions, Residential, Institutional Precincts, Open Space and Heritage chapters.

The basic philosophy regarding the management of the Central Area environment remains unchanged; however, there are a number of significant changes to the Central Area provisions which are hoped to improve the effectiveness of the District Plan. This includes:

- Retaining the emphasis on enhancing the quality of the public environment in the Central Area. This will be achieved by refining the existing provisions related to wind, sunlight to public spaces, viewshafts, noise, verandas, display windows, and signs.
- Strengthening and enhancing the provisions to achieve high-quality urban design. This will be done by strengthening policies relating to urban design, revising the Central Area Urban Design Guide, and elevating urban design assessments for new building works from Controlled to Discretionary Activity (Restricted) status.
- Creating nine heritage areas within the Central Area, and reduce building heights within those areas to reflect the existing scale and built form of each area. In some instances, the proposed heritage areas replace existing heritage or character areas in the operative District Plan.
- Including a standard for maximum building mass in the Central Area to allow effects relating to wind, daylight, heritage, and urban design to be more effectively managed.

- Creating a new precinct to cover the port and rail land to the north of the city centre. Rules covering the precinct will require any application to develop office or retail activities to be accompanied by a master plan (to address urban form), and economic analysis to demonstrate that the development will enhance the viability of the central city.

#### Plan Change 50: Aro Valley Boundary Adjustments & Pre-1930s Demolition Rule

Wellington City Council has assessed that the suburb of Aro Valley has a distinct local character derived from the retention of a high proportion of houses dating from the late 19th and early 20th centuries. In recognition of this character, District Plan Change 50 proposes to make the removal or demolition of pre-1930s buildings a Discretionary Activity (Restricted).

District Plan Change 50 also proposes to make adjustments to the rules, residential appendices boundaries and the design guide that apply to the Aro Valley Area.

#### Plan Change 51: Amendments to Financial Contributions

Proposed District Plan Change 51 covers amendments to financial contribution provisions and has been drafted in response to amendments to the Local Government Act 2002 which has required Council to prepare and adopt policy on Development Contributions as a component of its funding and financial Policies in its Long Term Council Community Plan. The resultant Development Contributions Policy (adopted 1 July 2005) is now the principle means under which the Council can obtain development contributions to help fund infrastructure required as a result of growth.

##### 2.2.5 Porirua City Council

No Plan changes have been notified since the last Committee report.

##### 2.2.6 Kapiti Coast District Council

No Plan changes have been notified since the last Committee report. Greater Wellington staff have however been consulted on a proposed private plan change for the north of Waikanae. Discussion has also been undertaken with the private plan change requester for Plan Change 65 “to provide for residential subdivision at Peka Peka and Paetawa Road, Peka Peka” in response to a prior submission by Greater Wellington.

### 3. Communication

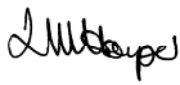
The matters referred to in this report are part of on-going statutory processes, and these processes are the appropriate way of communicating the relevant information.

#### 4. Recommendations

*It is recommended that the Committee:*

1. **Receive the report; and**
2. **Note the contents.**

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