



Report **06.653**
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Committee **Environment Committee**
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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

Wairarapa Districts

Nine notified applications have been received since the previous report to Committee and four submissions have been made. Comments have also been supplied to South Wairarapa District Council on three non-notified resource consent applications. Greater Wellington attended two hearings for applications lodged with South Wairarapa District Council.

The following paragraphs provide an update on previous consents, and information on two of the more significant notified resource consents on which submissions have recently been made.

2.1.1 Bedrock Nominees, Spark it Up and Ian Mark Janes, Carterton District Council

Three applications were lodged for adjoining lots in the Norfolk Road area on the outskirts of Masterton (but within Carterton District Council). If approved they could result in 11 residential lots of approximately 1 hectare each.

In recent months there has been an application for 25 lots of 3 hectares each and an application for 3 lots of 1 hectare, all adjacent to these applications. For all of these applications Greater Wellington has raised concern about the effect on groundwater nutrient concentrations from the intensification of individual wastewater systems in the area.

Submissions from Greater Wellington have also noted that the Norfolk Road area is under increased pressure from development for rural-residential properties. This can be attributed to its location close to transport networks and its attraction as a rural lifestyle location. The Proposed Wairarapa Combined District Plan recognises the conflicts in the Wairarapa between the pressures for residential living within a predominantly rural environment. In its submission on the plan, Greater Wellington noted the Norfolk Road area as a specific example where these pressures are apparent.

Greater Wellington has recently learned that the three applications have been withdrawn and the applicant intends to submit one application for the area, although many of the same issues are likely to be relevant.

2.1.2 Jakeman Trust, South Wairarapa District Council (SWDC)

This application is for a two lot subdivision with the further subdivision of lot 1 into 14 residential lots. The scheme plan indicated that a future application is likely to be made for lot 2 to be subdivided into a further 18 lots. The application site is within an area zoned residential within the Lake Ferry settlement. Greater Wellington made a neutral submission which raised concerns about wastewater treatment, the management of storm water and consistency with the Wairarapa Coastal Strategy.

The Lake Ferry Community Wastewater system has been granted its consents and is currently under construction. In its submission Greater Wellington asked that no building be allowed on site until this system is in place. This was endorsed through the officer's report recommendations.

Greater Wellington also asked that further consideration be made to the treatment of stormwater from the site, noting that the drain from the site runs directly into Lake Onoke. The concern about stormwater was an issue discussed in a number of other submissions and Greater Wellington's concerns were addressed through suggested conditions in the officer's report.

Although the proposed subdivision is zoned residential within the Lake Ferry settlement, Greater Wellington asked that the applicant consider the Wairarapa Coastal Strategy in the future design and location of new buildings on the site to ensure that any impacts on natural character and landscape are mitigated. The applicant has since indicated that covenants would be registered on the titles with respect to this.

2.1.3 Chopsticks Partnership, Masterton District Council

The proposal for a 16-lot subdivision was discussed in the last report to the Committee. A pre-hearing meeting was held on 24th October at which the applicant recognised many of the concerns raised by Greater Wellington and offered possible solutions to those concerns. However, for other submitters, a number of issues remained unresolved and a Hearing will take place on 27th November. Greater Wellington will attend the hearing and officers will stress the urgency of a "management plan" (as proposed in the Combined Plan) for helping direct and shape development at Riversdale.

Western Wellington Cities and Districts

Eight notified resource consent applications have been received, five of them for Hutt City Council. Officers have yet to decide if submissions are necessary on these applications.

2.2 District Plans

2.2.1 Proposed Wairarapa Combined District Plan

This Plan was notified at the end of August and a comprehensive submission made by the closing date of 30 October. A copy of the submission is available in the Councillors' Lounge

Overall we commended the Councils on the Plan and the initiative to produce a coordinated approach for the three districts.

The size and scope of the Plan inevitably meant that there were some inconsistencies and complications in relating different parts of the plan, and we have worked closely with the Councils to clarify interpretations and wording as issues arise. The submission comments on some of these matters, as well as issues which relate to regional council responsibilities.

Specific Comments

Rural Subdivision

Rural subdivision and subdivision in general sets the pattern of future land use and is an important component of the plan. There is increasing demand for rural residential and life style blocks in the Wairarapa and the resource management conflicts that can arise from this are identified as issues in many of the chapters. In our submission we supported many of the objectives and policies presented as they generally address the issues well and provide clear direction to the decision makers.

However, we identified a number of concerns about the relationship between the objectives and policies, and the rules which govern subdivision. The Plan relies heavily on '*controlled activity*' status for rural subdivisions, which have no requirement for public notification and are allowed as of right unless the proposal fails a standard. There are very few standards specified in the rules and, therefore, little opportunity to refuse applications. We considered that this would make it very difficult to achieve the objectives and policies of the Plan.

The use of controlled activity status also means that there is limited ability to control sporadic subdivision; potentially there could be high numbers of 4 ha lots in isolated rural areas and little ability to control or plan further intensification down to 1ha. We are already observing this intensification of development on some roads which had previously been subdivided and which can now be subdivided further within the rules.

The ability to subdivide down to 1ha is not necessarily a problem per se, as it may keep more of the productive land in usable units, but there is little direction as to where this intensification can best be achieved without adverse environmental effects. The often incremental nature of these developments means that there is little ability to assess the cumulative impacts of what becomes 'one hectare suburbia'. It offers no opportunity for coordinated and comprehensive design of roading and services and it reduces the ability to plan innovatively.

Our submission suggested additional standards for controlled activities and the movement of more applications to a discretionary or restricted discretionary class. We also promoted policy and provisions which support innovative subdivision design and coordinated planning for an area as methods to achieve better environmental outcomes.

Earthworks

Most district councils have a standard in their plans to allow some control of earthworks which are over a certain scale and which are not associated with subdivisions. In this Plan, we identified a gap between Greater Wellington responsibilities for earthworks on erosion prone land and the earthworks in subdivisions which are controlled by the districts through NZS 4404:2004 Land Development and Subdivision. We have asked that this be remedied, as earthworks have potentially adverse effects on soil stability and runoff to fresh water or the coast.

Flood Hazard Area Rule

The Flood Hazard Area rule is expected to be a source of controversy in the submissions as it would require resource consents for many everyday farming and domestic activities.

The intent was to prevent activities which would further increase risk to people or property in flood areas, but unfortunately this intent was not well expressed in the rule. The restrictions affect a number of Greater Wellington's responsibilities such as biosecurity works and riparian protection, as well as flood control responsibilities. Our submission sought to make the rules more clearly directed and useable while avoiding increased hazard risk.

Vegetation Clearance Rule

Another area of controversy for some landowners is around the protection of areas of indigenous biodiversity.

The Plan proposes the development of a Biodiversity Strategy to identify significant areas of biodiversity, and establish methods for protection of significant and representative communities. Until the Strategy is in place, a rule to control clearing of indigenous vegetation is considered necessary. By requiring a resource consent for clearing areas over a certain size and characteristics, the Rule would act as an 'alert' for those planning to clear native vegetation and allows the Council to assess the significance of the area.

Coast

The importance of the coast to the community is recognised by placing a ‘*Coastal Environment Management Area*’ as a planning overlay, with specific provisions on subdivision and land use. This zone is essentially as identified in the Wairarapa Coastal Strategy and generally extends up to the coastal ridge line. Some of the principles of the Wairarapa Coastal Strategy are given statutory representation in the Plan and the use of planning instruments such as management plans and structure plans to guide further development in the settlements. Avoidance of hazards in the coastal area will continue to be an ongoing planning concern for district councils and Greater Wellington.

2.2.2 Upper Hutt City Council, Hutt City Council, Porirua City Council

No plan changes have been notified since the last report.

2.2.3 Wellington City Council

Five plan changes were described in the last report and officers are currently working on possible submissions on three of the changes (Lincolnshire Farm, Central Area and Subdivision Design Guide). An update on these submissions will be provided at the Committee meeting.

2.2.4 Kapiti Coast District Council

As foreshadowed in the last report, Plan Change 69 has been notified. It is a private plan change made by Waikanae North Limited to rezone Rural land adjoining Waikanae to provide for urban use and development. Greater Wellington has been consulted in the preparation of the plan change but will be making a submission to highlight the following concerns:

1. The development proposes some 800 or more dwellings. There is an expectation that land nearby will also be the subject of major development. Greater Wellington will discuss the cumulative impacts of these developments, and consistency with other related strategies (KCDC, Waikanae North Growth Strategy, Wellington Regional Strategy).
2. The plan change has an assumption about water supply for the new development. Related to the comment above about cumulative impacts, Greater Wellington notes that the recently approved borefield supply has a condition that marks it for supplementary use. There is an implicit assumption in this proposal that the new supply provides additional “normal” capacity to facilitate further development.
3. The distribution of housing and roads within the area of the plan change mean that there would be a realignment of the Western Link Road. Moreover, the road would serve a range of strategic and more local distributor purposes. The junction of the road with State Highway 1 may also be an issue.

Submissions on the plan change close on 23rd November.

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

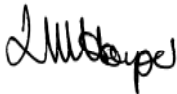
It is recommended that the Committee:

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

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