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Committee: Environment
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Regional Council input to statutory planning

1. Purpose

To inform the Committee of Greater Wellington Regional Council's input to the statutory resource management processes of territorial authorities in the western part of the region.

2. Overview

2.1 Resource consents

Two notified resource consent applications have been received since the last Committee report. One application is still pending assessment of the need to make a submission. An update of progress with submissions made on earlier consent applications is reported below.

2.1.1 Verplank Limited (Silverwood Stage II), Porirua City Council

This is a joint application lodged with Porirua City Council and Greater Wellington for a 168 residential allotment subdivision, associated earthworks and the reclamation of ephemeral watercourses. Submissions closed on 5 October 2004.

Greater Wellington lodged a submission seeking that appropriate long-term stormwater mitigation be assessed and required as part of the subdivision consent. This was to ensure appropriate mitigation was undertaken to minimise adverse effects on Pauatahanui Inlet and stream ecology, and the health of Duck Creek and Pauatahanui Stream.

Further information was provided to Greater Wellington on long-term stormwater mitigation measures in November 2004. A hearing was scheduled for 22 of December 2004. This hearing was adjourned at the request of the applicant and has been rescheduled for 28 February 2005.

Greater Wellington has withdrawn its submission, as the applicant expressed concern that there may be a conflict of interest between a submission made by Greater Wellington and Greater Wellington hearing the application. Although Greater Wellington believes there is no conflict, the matters in the submission

have been attempted to be addressed by the applicant, and it was considered that there would be no further value in keeping the submission on the application. Withdrawing the submission would also remove any questions about conflict of interest for Councillors hearing the application.

2.1.2 Tawanui Properties Limited, Kapiti Coast District Council

Tawanui Properties Limited applied for a resource consent to create a 10 lot rural subdivision at 186 Sims Road, Te Horo. Nine of the proposed lots were to vary in size from 1.05 to 1.45 hectares. The balance lot was proposed to be 10 hectares. Submissions closed on 21 July 2004.

Greater Wellington opposed the proposed subdivision due to the impacts on a regionally significant geological feature known as the “Otaki Beach Ridges”. See Report 04.431 (August 2004).

After submissions closed, the applicant approached Greater Wellington and proposed an amended application to avoid impacts to the “Otaki Beach Ridges”. The original application was withdrawn and a revised application was notified on 2 November. Submissions closed on 30 November.

Greater Wellington lodged a submission on the second application (as comment only) to ensure that the restrictive covenants were drafted in an appropriate manner to protect the beach ridges. A pre-hearing meeting was held on 11 January. A hearing has been postponed while matters relating to the application can be addressed. This includes wording in the restrictive covenants.

2.1.3 Upper Hutt Developments Limited, Porirua City Council

Upper Hutt Developments No 6 Limited applied to Porirua City Council for a subdivision and earthworks consent to create 41 rural allotments at 1227 Paekakariki Hill Road. Greater Wellington’s submission principally addressed the impacts of the subdivision on the natural character of the coastal environment, impacts on Paekakariki Hill Road and the intersection with State Highway 1, management of significant ecological sites and wastewater management.

The application was placed on hold while several further information requests were met. A hearing date was set for 22 November 2004. Greater Wellington prepared hearing evidence in conjunction with the Department of Conservation. Expert advice was also sought from Mr Clive Anstey on the impacts on natural character.

On 15 November, Greater Wellington received the Officers Report. The Report recommended that the application be declined. On 17 November, Greater Wellington was advised that the applicant had sought an adjournment of the hearing. Porirua City Council granted the adjournment. On 20 December we were advised that the application had been formally withdrawn by the applicant.

2.2 District plans

2.2.1 Proposed Plan Change 32 “Renewable Energy”, Wellington City District Plan

Wellington City Council notified Proposed Plan Change 32 “Renewable Energy” on 26 May 2004. Submissions closed on 14 July. Further submissions closed on 18 October.

Key features of Plan Change 32 “Renewable Energy” were summarised in Report 04.431 (August 2004). Greater Wellington made a submission in support of the proposed Plan Change, but sought minor amendments to the definition of “Wind Farm Facility” and some minor amendments to Chapter 25 to better recognise the national and regional policy framework. Proposed Plan Change 32 gives effect to the policy direction in Chapter 12 “Energy” in the Regional Policy Statement.

Greater Wellington presented evidence at the hearing on the Plan Change on 1 February 2005. Most of Greater Wellington’s submissions were either accepted, or accepted in part, in the Officer’s Report. Greater Wellington presented evidence in support of the recommendations accepting Greater Wellington’s submission. Greater Wellington also sought that some minor wording (to emphasise the role of the Regional Policy Statement and national policies as a context for the District Plan Changes) be included in the new chapter.

2.2.2 Proposed Plan Change 33 “Ridgelines and Hilltops (Visual Amenity) & Rural Area”, Wellington City District Plan

Wellington City Council notified Proposed Plan Changes 33 “Ridgelines and Hilltops (Visual Amenity) & Rural Area” on 26 May 2004. Submissions closed on 14 July. Further submissions closed on 18 October.

Key features of Plan Change 33 “Ridgelines and Hilltops (Visual Amenity) & Rural Area” were summarised in Report 04.431 (August 2004).

Greater Wellington supported, in part, the inclusion of the proposed Rural Design Guide, and additional assessment criteria in a number of rules in relation to:

- hazard (flooding) areas;
- hazard (fault line) areas; and
- septic tanks.

Greater Wellington sought that the Rural Design Guide more effectively address:

- natural features, ecosystems and habitats;
- planting; and
- stormwater management.

Greater Wellington opposed a new Rule 15.4.6 “Any subdivision of land in Appendices 4, 5, 6 & 7” and associated policies. Greater Wellington expressed

concern about the proposed management regime for the rural areas identified in Appendices 4, 5, 6 & 7 (Attachment 1 in Report 04.431 shows these sites). Rule 15.4.6 modifies the management of subdivision from a non-complying activity (for subdivisions below 50ha) to discretionary activities with no restriction on lot sizes or number of lots. Greater Wellington expressed concern that an assessment of potential impacts on water quality in rivers, streams and the harbour, on significant indigenous vegetation and on ecosystems had not been adequately addressed.

Greater Wellington also expressed concern over the proposed changes to the policies in the Residential Area, Rural Area and Open Space Zone in relation to the identified Hilltops and Ridgelines. The policy change included limiting the scope of the policies from “landscape values” to “visual amenity”.

Greater Wellington presented evidence at the hearing on the Plan Change on 1 February 2005. Greater Wellington’s evidence supported the recommendations accepting Greater Wellington’s submission. This included minor changes to the Design Guide on natural features and assessment criteria on septic tanks. Greater Wellington also provided evidence supporting the staff hearing report which noted that the most appropriate way to deal with removal of indigenous vegetation was through a plan change, rather than additions to the Rural Design Guide.

Greater Wellington’s evidence reinforced that the opposition to the sites listed in Appendices 4 to 7 was not an objection to encouraging growth on the city fringe - but that any change needed to consider the impacts of development on receiving environments such as Owhiro Stream. It was recognised that the Plan Change strongly relied on direction in the Rural Design Guide to direct assessment of potential effects. Greater Wellington therefore reinforced the need for the Guide to include a chapter on onsite stormwater management and provided a chapter for inclusion into the guide.

The Officer’s Report on “Ridgelines and hilltops” presented a comprehensive history on the development of the ridgeline and hilltop layer. This provided an appropriate reasoning as to why the associated policies had been amended from “landscape values” to “visual amenity”. Greater Wellington acknowledged these changes but submitted that this left a gap in the Plan with respect to a landscape assessment. Greater Wellington encouraged Wellington City to address this gap through a further Plan Change.

2.2.3 Private Plan Change 30, Ohiro Road, Brooklyn - Zone Change, Wellington City District Plan

Ohiro Properties Ltd have made a request to Wellington City Council for a private plan change to rezone 15.44ha of land on the west side of Ohiro Road, Brooklyn from Rural Area to Residential (Outer). The land in question is also subject to Proposed Plan Change 33. This is one of the sites in Plan Change 33 where it is proposed that the current restrictions on lot numbers and lot size be removed, but the rural zoning be retained.

Submissions closed on 6 December 2004. Greater Wellington made a submission opposing the application. Greater Wellington sought that an assessment be undertaken to determine the potential effects on the Owhiro Stream from the proposed intensity of development that could establish under the new zoning.

Greater Wellington also sought, should the change be accepted, that certain areas of indigenous vegetation be recognised through provisions in the plan. Further submissions closed on 8 February. No further submissions were lodged by Greater Wellington.

2.2.5 Plan Change 50, 50 (A)- (F) – Update of the Flood Hazard Maps and Associated Provisions, Kapiti Coast District Plan

In August last year, Kapiti Coast District Council proposed a Plan Change to update the existing flood hazard information for the major streams and rivers in Kapiti Coast. The Plan change included updates to the flood hazard provisions and District Plan Maps.

The Plan Change follows on from the Waikanae and Otaki River Floodplain Management Plans prepared by Greater Wellington in 1997 and 1998. Staff of both Kapiti Coast District Council and Greater Wellington (Flood Protection) have been working together to implement the Management Plan outcomes. This includes the preparation of this Plan Change. Submissions closed on 19 August 2004. Greater Wellington lodged a submission in support of the proposed changes. Further submissions closed on 20 January. No further submissions were lodged by Greater Wellington.

2.2.6 Plan Change 55(A) – Update to Ecological Sites, Kapiti Coast District Plan

Over the last two years, the Kapiti Coast District Council has been working on better defining and managing the ecological sites recorded in the District Plan Heritage Register. Late in 2002, Kapiti District Council commissioned Wildlands Consultants to undertake a review of the ecological sites scheduled in the District Plan Heritage Register and the planning maps. The main purpose of the review was to update and better define the location, extent and values of ecological sites in the Kapiti Coast District. Kapiti Coast District Council has continued to consult with Greater Wellington as the review has been undertaken.

Submissions closed on Plan Change 55(A) on 11 November 2004. Greater Wellington lodged a submission in support of the changes to the Heritage Register. Further submissions close on the 18 February. Greater Wellington is currently assessing the need for any further submissions.

3. Communication

The matters referred to in this report are part of an on-going statutory process, 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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