



Report 07.758
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Committee Regulatory Committee
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Regional Council input into city and district council planning

1. Purpose

To inform the Committee of Greater Wellington's input into the statutory resource management processes of territorial authorities in the region.

2. Resource Consents

Since 25 September 2007, 13 notified resource consent applications have been received from the region's city and district councils. Five submissions were made. Three of these submissions addressed flood hazard potentials, waste water disposal and reverse sensitivity issues. A summary of issues and comments made on two coastal subdivisions is reported below. Greater Wellington has also been involved in one Environment Court hearing that is reported below.

2.1 Coastal subdivisions: Bennett (Otahome) and Glenburn Station (Glenburn)

The Greater Wellington has not received any applications for large-scale coastal subdivisions since the completion of the Wairarapa Coastal Strategy in 2004. We have however received notification of a number of smaller applications with lot sizes and numbers that intensify development along the coast. Most of these are in areas that have not identified for settlement.

Greater Wellington made submissions about effects on natural character, wastewater disposal, historic heritage, biodiversity and natural hazards for two subdivisions at Otahome and Glenburn. These are isolated areas with poor road access and are predominately in pastoral or forestry use. The applicants have responded positively to Greater Wellington's submissions and have proposed modifications that go some way towards mitigating the adverse effects on the environment.

2.2 Buckley vs South Wairarapa District Council Appeal

Environment Committee report 07.16 (February 2007) provides a summary of Greater Wellington's submission on this application. The submission raised concerns about effects on natural character, and from hazards and waste disposal.

Mr Buckley, a Palliser Bay farmer and fisherman, had applied to build a two story house on a narrow triangle of land between the beach (40 m) and the road (6m). South Wairarapa District Council declined the application on a number of grounds, but primarily because of effects on natural character. Mr Buckley appealed the decision to the Environment Court. Greater Wellington is a party to the appeal.

A tension between natural character values, Maori heritage values and vulnerability to natural hazards was apparent both at the Council and at the Environment Court hearings. Changes to the proposal to meet one of these concerns generally had an adverse effect on one or more of the others.

The susceptibility to natural hazards was the subject of Greater Wellington's evidence to the Court. Changes proposed to alleviate adverse effects on natural character, had made the development more vulnerable to coastal hazards such as storm surge and tsunami.

A Court decision is still to be made.

3. District Plans

3.1 Proposed Wairarapa Combined District Plan

Greater Wellington's submissions and further submissions on the proposed Wairarapa Combined District Plan are summarised in Environment Committee Reports 06.653 (November 2006) and 07.149 (March 2007).

The last stage of Greater Wellington's involvement in the hearings was the presentation of submissions on our designations on the 8th and 13th of November. Environmental Policy and Flood Protection department staff have worked together on this part of the Combined Plan process.

Greater Wellington had filed notices of requirement for designations to cover flood protection schemes and conservation forestry. This includes over 250 km of stop-banks, drains and flood-ways.

Greater Wellington received a relatively small number of submissions on the designations and, by meeting with the submitters, managed to resolve many of the issues before the hearings. Supplementary evidence provided to the Hearings Committee was favourably received.

The Combined Council Committee expects to release decisions on the Plan in early 2008.

3.2 Wellington City District Plan

Three Council-initiated plan changes have been notified since the last report and are outlined below. Two submissions were made.

3.2.1 Proposed District Plan Change 60 – Churton Park Suburban Centre Rezoning

Plan Change 60 proposes to rezone the land on the southwest corner of the intersection of Westchester Drive and Lakewood Avenue from ‘Outer Residential’ to ‘Suburban Centre’. The area will be subject to a concept plan to guide the development of a village centre.

Greater Wellington submitted on the change and sought that the following matters be addressed:

(a) Greater Wellington’s Flood Detention Designation (W4)

There was a fundamental error shown on the concept plan with the land designated W4 incorrectly described as Wellington City Council Stormwater Detention. Greater Wellington sought that the error be corrected and that it state that the purpose of the designation was for flood detention and that Greater Wellington was the requiring authority. Additionally, an explanation of how the plan change would impact on the designation was requested.

Greater Wellington also sought that the location, extent and boundaries of the designation be corrected on the concept plan.

In order for Greater Wellington to carry out its functions in the designation area, Greater Wellington also requested that provision be made for access so that maintenance could be carried out. A three metre wide strip with an easement created in favour of Greater Wellington was proposed.

(b) Earthworks provisions and effects on the stream

Greater Wellington sought the addition of earthworks policies and rules to control the adverse effects of earthworks on the urban stream and the natural open space environment.

3.2.2 Proposed District Plan Change 61 – Rezoning of land at Huntleigh Park, Ngaio

Plan Change 61 proposes to rezone the land at Huntleigh Park, Ngaio from ‘Rural Area’ to ‘Outer Residential’. This plan change relates to a number of rural zoned properties which are accessed off Huntleigh Park Way, Heke Street or Thatcher Crescent.

Greater Wellington made a submission and raised the following matters:

(a) Protection of the ecological values

Greater Wellington sought the addition of policies to manage the environmental effects of future residential development consistent with the policies for the adjoining Huntleigh Park Conservation Site.

(b) Urban stream recognition and protection

Greater Wellington sought the protection of an urban stream as one of the significant features of the site and more stringent controls for earthworks to ensure ecological integrity of the subject site was not compromised.

3.2.3 Proposed District Plan Change 62 – Rezoning at Bellevue Residential Estate (Newlands) and associated policy amendment

The purpose of Plan Change 62 is to amend the zoning of land on the periphery of the Bellevue Residential subdivision in Newlands and enable residential development of land currently zoned Conservation Site.

This change is still pending assessment of the need to make a submission.

3.3 Porirua City District Plan

Three council-initiated plan changes were publicly notified since the last report. Staff are currently assessing these changes.

3.3.1 Proposed Plan Change 7 – Windfarms

Proposed Plan Change 7 introduces a new regulatory framework for the management of commercial scale wind energy generation in the rural zone. The proposed change provides Porirua City Council with a means to assess and balance the wider regional and national benefits of wind farms against the potential local adverse environmental effects.

The change introduces new policies and a discretionary activity rule for wind farms. The new rule contains criteria to assist with making, assessing and deciding on wind farm applications. In addition it makes wind farms, where a structure is to be located in a landscape Protection Area, or within 700 metres of a zone boundary or boundary of a property (that is not part of a wind farm), a non-complying activity.

3.3.2 Proposed Plan Change 8 – Recreation and Open Spaces

The purpose of Plan Change 8 is to create two specific zones for the city's public recreation and open space areas. It removes unnecessary barriers to the maintenance and use of the City's recreation areas and public open spaces and

differentiates between public recreation and open spaces areas and private land, where recreation or open space activities may only be a temporary use.

3.3.3 Proposed Plan Change 9 – Duck Creek Flood Management and Comprehensive Development Policy Area

Plan Change 9 introduces a regulatory framework to facilitate the comprehensive planning of flood management and land management of the former Duck Creek Golf Course in Whitby.

The primary purpose is to ensure that the land is developed in a comprehensive manner and addresses known flood hazards.

3.4 Kapiti Coast District Plan

One Council-initiated plan change has been notified since the last report.

3.4.1 Proposed Plan Change - Review of Otaki Residential Zone Provisions - Height and Infill Subdivision Rules

The plan change proposes greater control over the height of development and reduces the permitted height standard to 5 metres in order to maintain the Otaki Beach character.

Additional amendments are proposed to the infill subdivision rules and standards relating to lot sizes in the residential zone. The amendments do not however apply to residential areas within easy walking distance (400m) of commercial areas.

This change is still pending assessment of the need to make a submission.

3.5 Hutt City District Plan

One council-initiated plan change was notified since the last report.

3.5.1 Proposed Plan Change 10 - Amendments to Subdivision Provisions

Plan Change 10 seeks to address key implementation issues arising from the current subdivision provisions in the Hutt City District Plan.

Greater Wellington submitted and supported the introduction of specific earthworks standards for subdivisions. This will provide greater certainty about the extent of permitted works.

Greater Wellington sought that silt control measures such as those outlined in Greater Wellington's guidance material (*Erosion and Sediment Control Guidelines for the Wellington Region 2003*) and (*Small Earthworks Erosion and Sediment Control for Small Sites*) also be referenced as part of the proposed changes.

Greater Wellington also requested that the new earthworks performance standards be based on area of disturbance and heights of cut/fill, as well as the

volume threshold of 50 cubic metres proposed. This was to ensure effective management of the effects from earthworks.

3.6 Upper Hutt City District Plan

One Council-initiated plan change has been notified since the last report.

3.6.1 Proposed Plan Change 19 - Retailing in the Business Industrial Zone

Plan Change 19 proposes to limit the establishment of retail activities within the Business Industrial sub zone. The intent of the plan change is to encourage big box retail development to be located in a manner that is complementary to the existing retail development of the City.

Greater Wellington did not lodge a submission on this plan change.

4. 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.

5. Recommendations

That the Committee:

- 1. Receives the report; and*
- 2. Notes the contents.*

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