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Committee Regulatory Committee  
Author Rachel Pawson, Senior Policy Advisor, Policy Implementation

## 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

#### 2.2 Carterton District Council

##### 2.2.1 Wairarapa Aggregates Limited land use consent to extract gravel and infill with cleanfill adjacent to the Waingawa wetland.

Greater Wellington made a submission opposing the application to extract gravel and back fill with clean fill on a site directly adjacent to the regionally significant Waingawa wetland. Greater Wellington opposed the proposal on the basis that the applicant had not adequately assessed the effects of the activity on the regionally significant Waingawa wetland. The main concerns were in regard to dust, noise and traffic effects impacting on the fauna and flora present in the wetland.

A joint hearing was held on 1 and 2 June 2010 at the Carterton District Council as consents were also required from Greater Wellington for intercepting groundwater, taking water from the Taratahi water race and also to discharge sediment laden water back into the Waingawa wetland. At the conclusion of the two day hearing, the Commissioners adjourned the hearing as the applicant had not had time to present their right of reply and nor had the Commissioners been able to undertake two site visits. The site visits include visiting an existing quarry operation in the Wairarapa and another to visit a submitter's rural residential property located adjacent to the proposed site.

Greater Wellington is currently awaiting the applicant's right of reply and a decision from the Commissioners after they have formally closed the hearing.

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### **3. District Plan Changes**

#### **3.1 Hutt City Council**

##### **3.1.1 Proposed District Plan Change 12 – Amendments to the Residential Provisions and Financial Contributions Chapter**

Plan Change 12 is a review of residential provisions in the city to better enable infill and multi-unit development to accommodate population growth. The issues and our submissions were reported in Reports 09.221 and 09.521 to this Committee.

The Greater Wellington submission was in support of the main objectives of the plan change which were to extend existing higher density residential areas around shopping centres and transport routes, and the use of a minimum permeable surface area to assist with stormwater management. Greater Wellington asked that areas which have been identified as in the 1:100 year flood hazard zone be excluded from the intensification provisions of the plan change.

The decision report followed our recommendation in the main, but left some flood hazard areas open to intensification as a permitted activity. Greater Wellington appealed this decision to the Environment Court and this has now been successfully mediated.

##### **3.1.2 Proposed District Plan Change 14 - Amendments to the Central Commercial Activity Area Provisions**

A summary of the plan change has been reported in Regulatory Committee Report 10.7 (March 2010).

Greater Wellington made a submission on this proposed plan change which proposes to address a range of issues around the Central Commercial Activity Area Zone including land adjacent to the Hutt River Corridor.

The submission made covered flood protection and transportation issues. Greater Wellington stressed that the Hutt River Corridor needed to be able to perform in terms of its management of the flood risk. In terms of transportation issues, the submission focused on ensuring the safe and efficient operation of the roading system and the need to manage parking supply to contribute to an efficient and sustainable transport network.

Greater Wellington has also provided further submissions on this plan change and supported a number of submission points made by the New Zealand Transport Agency regarding travel demand management and the need to balance parking provision in a way that contributes to an efficient and sustainable transport network. Greater Wellington opposed the submission made by Harvey Norman Pty in relation to building setbacks adjacent to the Hutt recreation area, on the basis that buildings and other structures built adjacent to the stop bank could compromise the integrity of the stop banks,

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leading to possible failure of the stop bank and potential flooding of the Hutt CBD.

## **3.2 Wellington City Council**

### **3.2.1 Proposed Private Plan Change 30 – Ohiro Properties Ltd**

The intent of the plan change was to alter part of the Rural Area on the west side of Ohiro Rd to Residential (Outer). Greater Wellington first submitted in opposition to this plan change in December 2004 with concerns about the impacts of future development on regenerating native vegetation, on local ecosystems and on aquatic receiving environments. Greater Wellington also had concerns about the procedural consequences of the Plan Change, for appropriate consideration of the effects of future subdivision.

Wellington City declined the plan change as proposed (allowing up to 200-500 new houses), but considered that some form of residential development was appropriate in the area. The decision was appealed and discussions to resolve the appeal have been ongoing with the receivers for Brooklyn Views Ltd. Greater Wellington as a S274 party to the appeal has participated in the negotiations

A consent order has now been filed with the Environment Court, resolving this longstanding appeal. The change in zoning is allowed with specific provisions including a new policy and rule.

The policy provides a restrictive set of conditions to manage residential development in a manner that recognises the topographical and other natural constraints of the area. The provisions include a map showing areas which are subject to development constraints around natural ecosystems, stream and for visual amenity purposes. The rule specifies that all subdivisions in the plan change area are a fully notified discretionary activity.

### **3.2.2 Proposed District Plan Change 72 – Residential Review**

A summary of the plan change has been reported in Regulatory Committee Report 10.282 (May 2010).

This plan change is a complete review of the residential chapter of Wellington City Council's district plan. Greater Wellington made a submission on the plan changes which: -

- Supported the objectives and policies that related to regional form, transport and energy
- Requested an increase in the yard requirements along the Porirua stream and its tributaries to 10m to allow for stream movement, natural erosion and stream maintenance

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- Asked for affected party status for rules relating to Hazard (Flooding) Areas and stream yard requirements
- Requested that the coastal environment is identified in the district plan
- Highlighted the need for greater recognition of coastal hazards and natural coastal processes. Greater Wellington suggested an additional policy regarding the risks and consequences of coastal hazards and rewording of an existing policy.

No decision has been released on the plan change to date.

### 3.2.3 Proposed District Plan Change 73 – Centres and Business Areas.

A summary of the plan change has been reported in Regulatory Committee Report 10.282 (May 2010).

This plan change is a complete review of the suburban centre chapter of Wellington City Council's district plan. Greater Wellington made a submission on the plan changes which covered the same points as the Plan Change 72 submission which related to yard requirements along streams and coastal hazards.

No decision has been released on the plan change to date.

### 3.2.4 Proposed District Plan Change 75 – Centre Heritage Areas

Plan Change 75 proposes to add six suburban centre heritage areas centre to the District Plan Heritage Inventory List. Greater Wellington intends to submit in support of the plan change stating that it gives effect to policies 20 and 21 of the proposed Regional Policy Statement in respect of the identification and protection of centre heritage areas. Submissions are due 23<sup>rd</sup> July 2010.

## 3.3 Porirua City Council

### 3.3.1 Proposed Private Plan Change 13 Broken Hill Industrial Area

Private Plan Change 13 is to rezone an area of rural land to industrial land. It is adjacent to an existing industrial area and the locally significant Colonial Knob. The change of zoning will contribute to a clean up of the area which has previously been used for clean fill operations.

Staff had provided an analysis of the draft plan change's alignment with policies in the Operative and proposed Regional Policy Statements and found that it was satisfactory. Access to the Colonial Knob area is already provided for and the stream in the area is already protected by covenants from a prior resource consent. No submission was required.

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## 4. Other policies and plans

### 4.1 Wellington City Council

#### 4.1.1 Kilbirnie Town Centre Draft Revitalisation Plan

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As reported in Regulatory Committee Report 09.299, Wellington City Council has been developing a town centre revitalisation plan for Kilbirnie Town Centre. The Kilbirnie Town Centre Draft Revitalisation Plan was released in May 2010 for public comment. A submission was made on this Plan providing comments in relation to the location and design of public transportation, the use of travel demand mechanisms, car parking facilities, pedestrian and cycle access, the creation of medium-density housing areas, the use of urban design and open space. The submission sought an emphasis on ecological restoration associated with amenity planting and landscaping, the identification of heritage buildings, and taking into account the impacts of climate change on stormwater and flooding.

### 4.2 Porirua City Council

#### 4.2.1 Memorandum of Understanding

On 5 May 2010, Chief Executives from Greater Wellington and Porirua City Council signed the new regulatory Memorandum of Understanding. This was attended by staff from both councils. The next Territorial Authority to work with in the establishment of a new Memorandum of Understanding with Greater Wellington will be Upper Hutt City Council. This will be a first for Upper Hutt City Council who has never had a regulatory memorandum with Greater Wellington before.

### 4.3 Ministry for the Environment

#### 4.3.1 Proposed Amendments to the National Environmental Standards for Air Quality

Greater Wellington provided a submission on the proposed amendments to the National Environmental Standards for Air Quality which was released as a discussion document from the Ministry for the Environment. In general, Greater Wellington agreed with the policy objectives of the review. They provide certainty for industry, state the goal of reducing emissions to protect public health, and assist regional councils with their resource consent decision making and regional planning. There were a number of options proposed for changes to the air quality standards.

Our submission supported an option which did not use offsets as a mechanism for particulate matter (PM<sub>10</sub>) control. Greater Wellington does not consider that offsets should be used for air in a national standard. The use of off-sets for air will not improve air quality but move the problem onto another party. Greater Wellington prefers that no consent restrictions on industry are imposed through the standard, but rather through the resource consent process.

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Greater Wellington supported raising the number of permitted annual exceedances for PM<sub>10</sub> from one to three. Effectively, this would allow for some exceptional events and would remove borderline complying air sheds (one to three exceedances per year that are largely meteorologically driven) from the NES framework.

Greater Wellington also commented that the true costs of monitoring for the national environmental standards borne by regional councils are not adequately included in the analysis. The discussion of mandatory reporting (monitoring data) therefore did not portray the true cost. Actual reporting is low in cost terms compared to the task of data collection into a useful format for others to understand and interpret. This cost is all borne by the regional council. The options also overlook the on-going costs for regional councils for the management of their regional air plans and any changes which are required as a result in changes in the Standards.

## 5. Recommendations

*That the Committee:*

1. **Receives** the report.
2. **Notes** the content of the report.

Report prepared by:

**Rachel Pawson**  
Senior Policy Advisor, Policy  
Implementation

Report approved by:

**Jonathan Streat**  
Manager, Environmental  
Policy

Report approved by:

**Nigel Corry**  
General Manager,  
Environment Management  
Group