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## Regional Council input to statutory planning

### 1. Purpose

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

### 2. Overview

#### 2.1 Resource consents

Fourteen notified resource consent applications have been received since the last Committee report. Two submissions are currently being prepared. Three notified resource consents are yet to be reviewed. The following is an update and outline of submissions made.

##### 2.1.1 St Ives Group, Porirua City Council

Greater Wellington opposed a subdivision application to create 40 fee simple lots, two reserves, a new legal road, four right of ways and a earthworks consent at St Ives Drive, Camborne.

The application involved removing approximately 40% of the vegetation from the site (identified as being of high ecological significance in the "Inventory of Ecological Sites in Porirua City", prepared for Porirua City Council by Boffa Miskell, 2001). The area also contained a rare ecosystem type: a small flax/sedge freshwater wetland.

Without wishing to restrict development of the site, the Greater Wellington submission sought the removal of one lot and part of two lots to retain the vegetation corridor. In addition, the submission requested that the gully above the wetland not be filled so that the wetland could provide a buffer for peak stormwater flows and assist with minimising water quality impacts on Pauatahanui Inlet.

Staff presented evidence at the hearing on the 19 November 2003. The decision was issued 11 December 2003. Although the decision did not grant the relief sought by Greater Wellington, a number of conditions were placed on

the consent to mitigate the effects raised in Greater Wellington's submission. This included:

- the planting of vegetation alongside Lot 14 to maintain the vegetation corridor, along with the placement of a bush covenant over the newly planted vegetation; and
- the installation of dissipation structures on all stormwater disposal outlets, with the design details and positioning to be carried out in consultation with the Greater Wellington Regional Council.

### 2.1.2 Kilmarston Development Ltd, Wellington City Council

Greater Wellington opposed a subdivision of 43 residential, one reserve, one utility site, one balance lot, seven lots as road and an earthworks consent at 16 and 18 Patna Street, and 109a Awarua Street, Ngaio.

Great Wellington expressed a concern that the application did not contain an earthworks and sediment control plan. In addition, the application failed to assess the impacts of the subdivision on the receiving Kaiwharawhara catchment.

Greater Wellington's submission requested that an earthworks and sediment control plan be prepared and provided to submitters for assessment. The submission also requested that the applicant carry out an assessment of effects on the ecology and water quality of the Kaiwharawhara catchment and investigate measures to slow runoff and reduce quantities of sediment/pollutants entering the stream system.

Wellington City Council has placed this application on hold while further information has been requested from the applicant.

### 2.1.3 Ocean View Developments, Porirua City Council

Greater Wellington submitted on an application by Ocean View Developments to create 28 residential units and undertake earthworks at 10 – 26 View Road, Titahi Bay, Porirua.

Greater Wellington's submission sought that the resource consent include conditions to ensure an appropriate Erosion and Sediment Control Management Plan was prepared prior to the commencement of earthworks. In addition, it was requested that the plan incorporated appropriate controls as set out in the Greater Wellington Regional Council's "*Erosion and Sediment Control Guidelines for the Wellington Region*".

A hearing on this application is scheduled for 9 February 2004. The Porirua City Council staff hearing report recommends the inclusion of two conditions which meet Greater Wellington's concerns. Consequently, there is no need to present evidence at the hearing. However, support for the recommended conditions will be provided to the Porirua City Council Hearing Committee in writing.

## **2.2 District Plans**

### **2.2.1 Proposed Upper Hutt City Council District Plan, Greater Wellington appeal**

Greater Wellington has received a Consents Memo and Order, which sets out amendments to the Upper Hutt City Council District Plan to address Greater Wellington's appeal. The Order satisfactorily addresses all matters relating to Greater Wellington's appeal.

### **2.2.2 Proposed Plan Change, Evans Bay Patent Slip, Wellington City Council**

The Wellington City Council notified Proposed Plan Change 17 on 20 June 2003. The plan change provides for identification of the Evans Bay patent slip as a heritage area and adjusts the residential zone to better provide for a suburban shopping area, a road realignment and open space areas.

Greater Wellington made a submission on the Proposed Plan Change (Report 03.469) and requested that the heritage zone only be indicated on the landward side of the coastal marine area. The Regional Coastal Plan was noted as the appropriate plan for the seaward side (i.e. the coastal marine area).

A hearing on the proposed plan change occurred on Wednesday 19 November 2003. The WCC Staff Hearing Report recommended that Greater Wellington's request be met. A letter was sent supporting this recommendation and consequently, there was no need to present evidence at the hearing.

The decision on the Plan Change was released in January 2004. The decision adopted the WCC Staff Hearing Report recommendations relating to Greater Wellington's submission.

### **2.2.3 Proposed Plan Change, Rezoning of Land at Downing Street and Silverstream Road, Crofton Downs**

The Wellington City Council notified Proposed Plan Change 24 on 17 September 2003. The proposal changes the zoning of an area of land on the edge of Crofton Downs. The rezoning creates a 3.7 hectare reserve, which protects both sides of a valley supporting a small stream. The reserve will also form part of an ecological corridor between Wilton Bush and Huntleigh Park Forest.

Approximately 50% of the site will be zoned outer residential and will be specifically controlled through an appendix to the residential rules. The appendix restricts the number of lots and sets out the matters that will be assessed. This includes an assessment criterion requiring the subdivider to consider stormwater effects and how these can be mitigated using alternative methods.

The Greater Wellington Regional Council made a submission on the Proposed Plan Change (Report 03.683) which supported, in part, the Proposed Change. The submission requested that the proposed assessment criterion, in relation to stormwater, be included as a standard to provide greater certainty that sediment and pollutants will be managed on the site.

Wellington City Council advertised the summary of submissions and invited further submissions in December 2003. Greater Wellington staff assessed that no further submissions were required.

#### 2.2.4 Proposed Plan Change, Makara Road and Khouri Ave land swap, Wellington City Council

Wellington City Council notified Proposed Plan Change 27 on 5 November 2003. The plan change intends to exchange the majority of a piece of open space land at the end of Khouri Ave with the majority of a piece of larger private land, zoned outer residential, running up to the skyline ridge. The upper land will become part of the Council's open space land (the outer greenbelt), and the lower land would be developed into residential allotments.

The proposal seeks to find a balance between:

- privacy for existing residents;
- open space values (green belt, landscape);
- traffic management (safety, efficiency);
- recreational opportunities; and
- good urban form for the city.

Greater Wellington's submission supported the concepts above and resulting protection of the upper land. For control of subdivision design of the lower land an appendix is proposed. Greater Wellington's submission sought that a new assessment criterion be included in the Appendix to provide greater certainty that, where practical, existing landforms and gullies were protected and effective stormwater management was undertaken.

Wellington City Council advertised the summary of submissions on Saturday 17 January 2004. The closing date for further submissions is the 20 February 2004. Greater Wellington staff have assessed that no further submissions are required.

#### 2.2.5 Proposed Plan Change, Non-notification Statements in the Operative District Plan

The Resource Management Amendment Act 2003, introduced a new mechanism of "limited notification" for processing resource consent applications. This mechanism is designed for situations where an applicant can not secure the written approval of neighbours or other affected persons but the nature of the application does not warrant full notification.

Prior to the Amendment Act many plans provided non-notification statements for certain activity types requiring resource consents where written approvals or notification was not considered appropriate. For example:

*"The written approval of affected persons will not be necessary and applications need not be notified."*

The Amendment Act now provides for Plans to include a statement indicating, for any given rule, notice of an application "*does not need to be served on an affected person*". The consequence is a legal obligation on Council to serve notice (limited notification) of an application on affected persons and to invite

submission even though the intent of a non notification statement in a plan is clear that the Council will not require written approval of an affected person. The only way to remove this obligation is to amend the non-notification statements similar to below:

*“The written approval of affected persons will not be necessary.  
Notice of applications need not be served on affected persons and applications need not be notified.”*

For Wellington City Council the new regime affects 79 rules in the operative District Plan with non-notification statements. Plan Change 28 proposes to alter the ‘non-notification’ statement to the 79 rules to ensure applications are not subject to the limited notification process.

Wellington City Council notified Proposed Plan Change 28 on 17 January 2004. Submissions close on the 16 February 2004. Staff are yet to determine whether there is a need for Greater Wellington to make a submission on the proposed plan change.

#### **2.2.6 Proposed Plan Change, Aotea Block, Porirua City Council**

Porirua City Council (PCC) notified Proposed Plan Changes 2-5 on the 18 November 2003. The four proposed plan changes are private plan changes, initiated by Carrus Limited in relation to the Aotea Block. Each plan change relates to a separate zone or policy area as follows:

- Plan Change 2: Business Park Zone;
- Plan Change 3: Medium Density Residential Policy Area;
- Plan Change 4: Baxters Knob Commercial Recreation Policy Area; and
- Plan Change 5: Aotea Mixed Use Policy Area & Suburban Shopping Centre Area.

Greater Wellington’s submission reiterated concerns (expressed during earlier consultation) about the development of the Aotea Block and impacts on traffic generation and concerns about singular access. The submission also expressed generic concerns about the scope of the Plan Changes and impact on ecological sites.

Porirua City Council advertised the summary of submissions on Tuesday 27 January 2004. The closing date for further submissions is the 25 February 2004. Staff are currently reviewing submissions to determine whether any further submissions are required.

### **2.3 Other**

#### **2.3.1 Management of Subdivision and Development Discussion Paper, Kapiti Coast District Council**

Kapiti Coast District Council (KCDC) has prepared a discussion paper, which reviews the management of subdivision and development within the Kapiti Coast.

The Discussion Paper identifies barriers to the approval of subdivision consent applications using alternative design technologies and recommends replacing the existing Code of Practice with two methods:

- Minimum engineering standards; and
- Innovative design guides.

Implementation of the new approach is investigated and the Discussion Paper identifies the need for a plan change to amend subdivision related objectives, policies, rules and standards as well as the need to integrate with the long term community planning process.

The closing date for submissions was 30 January 2004. Greater Wellington strongly supported the review and proposed implementation methods.

### 2.3.2 Strategies for Managing Coastal Erosion Hazards on the Kapiti Coast

Kapiti Coast District Council (KCDC) has released a report, which evaluates the risk of coastal erosion along the Kapiti Coast. The objectives of the report included:

- Making recommendation concerning coastal hazards that meet the requirements of the Resource Management Act.
- Making recommendations on strategies for managing erosion for each part of the coast, including, doing nothing, beach nourishment, beach drainage, dune management, structural protection and managed retreat.
- Making recommendations for an ongoing monitoring and review programme for the coast to identify trends.

The table below summarises the report's preferred method for each management zone.

Management Zone	Principle Management Methods
Paekakariki	Seawall, Regulatory Controls, Specific Emergency Works (if required)
Queen Elizabeth Park	Regulatory Controls
Raumati South	Seawall and associated works, Regulatory Control, Education, Emergency Response Plan
Raumati North	Regulatory Controls, Dune Conservation, Education
Paraparamumu	Regulatory Controls, Dune Conservation, Beach Renourishment
Waikanae to Peka Peka	Regulatory Controls, Dune Conservation
Peka Peka to Otaki	Regulatory Controls, Dune Conservation

The following recommendations directly relate to Greater Wellington's land management:

- An extension to the current no build area (from 20m to 100m) within the Queen Elizabeth Park Zone and joint monitoring with Greater Wellington on coastal profiles.

- Ensure monitoring of effects on the surrounding locations from cutting through the sand spit at the Waikanae River mouth, by Wellington Regional Council.

During the preparation of the report and community consultation, submitters requested that Greater Wellington prove that it is not compounding dune erosion through cutting the Waikanae River mouth.

The closing date for submissions is 27 February 2003. Staff are in the process of preparing a submission on the Strategy.

### **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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