



Report 09.521
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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

Greater Wellington has received three notified resource consent applications from the region's city and district councils since the last committee report. An update on a notified resource consent that Greater Wellington has previously submitted on is provided below.

2.1 South Wairarapa District Council

2.1.1 Bluewater Trust – 9 lot coastal subdivision

This application is for a 9 lot coastal subdivision at Tora Settlement Road, Tora. The applicant first engaged with Greater Wellington in October 2007 and then again in September 2008 to work through a number of concerns that were evident when first assessing the proposal. These concerns related to wastewater disposal, proximity to a significant wetland, cultural and archaeological sites, land stability and debris flows, tsunami risk and landscape and natural character considerations.

Greater Wellington's concerns were adequately addressed through the pre-application discussions between Greater Wellington and South Wairarapa District Council staff, and the applicant's consultant planner. The outcomes of these discussions included a reduction in the number of proposed allotments, and alignment of these allotments. Consequently, Greater Wellington did not make a submission on this proposal. In September 2009, South Wairarapa District Council granted consent subject to conditions which reflect the agreement reached during those discussions.

2.2 Wellington City Council

2.2.1 Johnsonville Shopping Centre re-development

On 8 September, Greater Wellington staff presented planning evidence at the hearing in support of our written submission. Our Statement of Evidence focussed on the future requirements for public transport facilities in Johnsonville and how the resource consent proposal can help deliver the key transport related outcomes which include the maintenance and enhancement of an efficient bus/rail interchange.

At the hearing, Council's Divisional Manager, Public Transport division outlined the Council's functions and responsibilities for public transport planning, services and improvements for the Wellington region. In particular, the function of the Johnsonville bus/rail interchange in relation to the Metlink network and the rail upgrade programme for the region including the Johnsonville line and tunnels. We also highlighted the importance of integrating the proposed land use with the region's transportation network in order to reinforce the region's compact form.

Council granted consent on 28 September 2009, subject to (43) conditions. Council decision strongly encouraged Greater Wellington and the Wellington City Council to engage with each other and with other relevant authorities to work through the issues raised (page 45 of the decision) and this is reflected in the conditions of consent (including conditions 30 and 31).

3. District Plan Changes

Sine the last committee report, Wellington City Council has released three council initiated plan changes. Porirua City Council has initiated two plan changes. An update on four plan changes and the Proposed Combined Wairarapa District Plan is provided below:

3.1 Wellington City Council

3.1.1 Proposed plan change 72 – Residential Area

Proposed plan change 72 is a complete review of the residential chapters of the District Plan. Two of the key changes include:

- Two new 'Areas of Change' surrounding the Johnsonville and Kilbirnie town centres to provide for medium-density housing.
- A new character area to recognise the unique character of Wellington's 'residential coastal edge'.

3.1.2 Proposed plan change 73 – Centres and Business Areas

Proposed plan change 73 is a complete review of the Suburban Centre chapters of the District Plan. Key changes include splitting the current Suburban Centre zone into two new zones i.e. 'Centres' and 'Business Areas' and the introduction of a new design guide for these zones.

3.1.3 Proposed plan change 74 - Utilities

Proposed District Plan Change 74 proposes to amend the District Plan rules which manage telecommunication structures to bring the rules more in line with the national environmental standard for telecommunication structures.

3.1.4 Proposed plan change 70 - Earthworks

Greater Wellington made a submission on this proposed plan change which proposes to address a range of issues including erosion, dust, and sediment control and character and amenity of streams and wetlands.

Greater Wellington requires access along some water bodies in Wellington City to maintain flood carrying capacity and to maintain the bank edge on a regular basis. We share responsibility for flood risk management with Wellington City under the Watercourses Agreement. This was highlighted in our submission to ensure that adequate riparian margins are provided for by the plan change.

Greater Wellington supports the policy that aims to control earthworks so that they do not increase the risk of flooding. However, Greater Wellington recommends that the plan change take into consideration the provision for overflow path to avoid the risk of flooding, in the event that a primary flow path/channel is blocked.

3.1.5 Proposed plan change 69 – Contaminated land provisions

On 14 August 2009, Greater Wellington staff presented planning evidence at the hearing in support of our written submission and the recommendations in the Statement of Evidence by the council officer. Our Statement of Evidence supported the plan change which seeks to provide a more flexible regime for managing contaminated land while maintaining a level of control to ensure that any potential adverse environmental effects resulting from the use of contaminated land are better managed.

Council approved the plan change on 26 September 2009 with several recommendations, two of which are of particular interest to Greater Wellington. Firstly, the definition of ‘*Contamination*’ has been recommended to be deleted from the plan change. This is consistent with our submission.

Secondly, it has been recommended that Greater Wellington review the standard letter of response to enquiries and other procedures for the Selected Land Use Register entries relating to the ‘*Contamination*’ classification once the plan change becomes operative. We note that council staff have started reviewing the letter which will alert an enquirer to the ‘*Contamination*’ classification being only relevant to existing land use.

3.2 Porirua City Council

3.2.1 Proposed plan change 10 – Suburban Centre Zone: Residential Infill Amenity Management and Miscellaneous Minor Amendments

Proposed District Plan Change 10 seeks to promote better development outcomes for residential development within the city. This is to ensure that amenity effects from residential infill development are better managed.

3.2.2 Proposed plan change 11 – Minor Earthworks

Proposed District Plan Change 11 amends existing earthworks standards associated with building platforms and introduces a new requirement for the inclusion of an earthworks management plan with all earthworks resource consent applications.

3.3 Hutt City Council

3.3.1 Proposed District Plan change 12 – Amendments to Residential Provisions and Financial contributions chapter

Regulatory Committee Report 09.221 provided a summary of the aspects raised in our submission.

On 25 September 2009, Greater Wellington staff presented planning evidence at the hearing in support of our written submission and the recommendations in the Statement of Evidence by the officer. One of the officer's recommendations was that the Higher Density Residential Area within the Waiwhetu/Whites Line East Area within the 1 in 100 year floodplain be removed from the plan change.

While we strongly supported this recommendation, we noted that this recommendation does not appear to cover all the areas within the 1 in 100 year floodplain such as Naenae, Waterloo, Fairfield, and Wainuiomata. We recommended to the District Plan Hearings Committee that all areas subject to the 1 in 100 year flood risk be removed from the plan change.

3.4 Kapiti Coast District Council

3.4.1 Proposed District Plan Change 80 – Ngarara

Regulatory Committee Report 09.221 provided a summary of the submission points reinforced in Greater Wellington's submission. Council approved the plan change on 16 July 2009.

3.5 Proposed Wairarapa Combined District Plan

Regulatory Committee Report 09.221 provided an update on the environment court mediation undertaken in early 2009.

Greater Wellington has continued to provide information and advice through the formal and informal mediation sessions to work towards acceptable and practicable outcomes for our issues.

In terms of the matters regarding earthworks within the foreshore protection area, the coastal environment management area, outstanding landscape areas and areas adjacent to significant water bodies and other water bodies, all parties (except Mr Dan Riddiford) have reached a resolution. Due to the Council's not being able to reach any agreement with Mr Riddiford, all aspects of his appeal are to proceed to an Environment Court hearing.

The appeal by Tomlinson and Carruthers Surveyors regarding the entire subdivision chapter has now been refined down to a couple of issues. Specifically, the standards for controlled activities in the residential, commercial and industrial zones and the policy 18.3.2(h), which states that allotments below the minimum standards in the rural zone are not allowed unless there are unique or exceptional circumstances. There is still continued dialogue between the respondents and the appellants with the intention of resolving this issue. If no resolution is agreed, these two issues will proceed to an Environment Court hearing.

All matters that Greater Wellington have been involved with through their appeal and S274 party to an appeal have now been resolved through the mediation process and therefore will not be proceeding to an Environment Court hearing.

4. Other policies and plans

4.1 Kapiti Coast District Council - Consultation on options for an expressway through the Kapiti District

The New Zealand Transport Agency (NZTA) is currently seeking the views of residents as to where they would prefer a four-lane expressway to be constructed, before further advancing the existing proposals for the Waikanae Transport Interchange or the Kapiti Western Link Road.

In August 2009, the NZTA provided two options for developing the expressway: one alongside the existing alignment and the other along part of the designation of the proposed Western Link Road. In October 2009, the NZTA extended the consultation period to 30 October 2009 for the proposed Kapiti State Highway 1 Expressway routes in response to community feedback for another option from MacKays Crossing to Peka Peka. This third option utilises the Western Link Road as a four-lane expressway.

The agreed alignment project between Peka Peka and Otaki which was consulted on six years ago is being accelerated as part of the Wellington Northern Corridor Road of National Significance. Feedback is also sought for this alignment to see if the views of local residents have changed.

Greater Wellington council staff including Public Transport and Infrastructure and Policy and Strategy, Flood Protection, Parks and Forests, and

Environmental Policy, are in the process of formulating a council wide submission to the NZTA outlining our concerns. As the options are concepts only without much detail, our input will focus primarily on the potential impacts of these options on our public transport operational activities, land management functions, and statutory responsibilities.

Greater Wellington has no view about which option for achieving an appropriate level of service is preferred. However, we will advocate that design parameters are appropriately taken into account in the option evaluation, design, and construction phases.

4.2 Hutt City Council - Land Review

The Hutt City Council is currently undertaking a systematic review of land it owns and manages as part of its reserve network. This is being done on a ward by ward basis. The purpose of the review is to determine the future best use of the land, including possible disposal. A proposal to dispose of sites within the Eastern Ward and Harbour Ward forms part of the review. This includes up to 19 sites along the Eastern Hills behind Naenae, Epuni, Waterloo and Waiwhetu and four sites within the Harbour Ward near Eastbourne.

Greater Wellington made a submission outlining the main areas of concerns namely effects on the Waiwhetu Stream catchment, impacts on the East Harbour Regional Park, ecological impacts and impacts on local stream ecology. Greater Wellington staff will be attending a Strategy and Policy Committee meeting on 15 October 2009 where this land review process will be considered and recommendations made to Council. There is also an opportunity to speak in support of the submission.

Final decisions on each site, following consultation, will be subject to detailed geotechnical and engineering investigations to determine viability.

4.3 Wellington City Council – Wellington 2040 - The Future of our Central City

Wellington City Council is developing a 30-year development framework for Wellington's central city in order to provide a future vision and offer a coordinated direction for investment in the central city. Feedback is currently being sought on this.

4.4 Porirua City Council – Code of Land Development and Subdivision Engineering

Regulatory Committee Report 09.299 provided an update on the submission points raised in our submission.

On 30 July 2009, Greater Wellington staff presented planning evidence at the hearing in support of our written submission. In particular, the provisions for sustainable stormwater techniques in the design of stormwater systems and the requirement for roading networks to provide efficient routes for public transport.

Views expressed by other submitters include the appropriateness of continuing with the work on this code that is based on the current NZS 4404:2004 which is being reviewed by Standards New Zealand – should there be any changes made to NZS 4404, the code may need to be reviewed again to align with NZS 4404.

4.5 Upper Hutt City Council – Southern Hills Environmental Management Study

- 4.5.1 Upper Hutt City Council is reviewing the planning provisions relating to the southern hills of the city. These are the hills that run from Pinehaven to Mount Marua and separate the urban area of the city from the Whitemans and Mangaroa Valleys. The review focuses on the landscape, ecological and amenity characteristics of the hills and recommends a number of changes to the District Plan to better manage development within them. Upper Hutt City Council is now seeking feedback on this review.

5. Recommendations

That the Committee:

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

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