
REPORT 5
(1215/52/IM)

SIX-MONTH PROGRESS REVIEW ON THE DISTRICT PLAN WORK PROGRAMME

1. Purpose of Report

The purpose of this report is to report on progress with the 'rolling' review of the District Plan, and to seek agreement from the Committee to staff continuing with the current review work programme as agreed by the Committee in December 2005.

2. Executive Summary

In December 2005 the Strategy & Policy Committee signed off a four-year District Plan review work programme.

The sequence of reviews was determined by available resources, existing projects, the priorities for implementing the Council's strategies (especially the Urban Development Strategy) and legal requirements; there is no capacity available within the Council or the labour market to speed up the review programme. Delivery on the current programme of reviews will be challenging and smaller, non-strategic plan changes may have to be delayed if required.

During the last six months good progress has been made on all the scheduled reviews and a number of smaller appeals and plan changes. There will be small delays in the notification of the plan changes for the Northern Growth Management Framework and Central Area review.

3. Recommendations

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Note the progress on the four year District Plan work programme.*
- 3. Agree that the Planning Policy team will continue to follow the District Plan work programme (attached as Appendix 1).*
- 4. Agree that the Planning Policy Team will report back to the Committee in November 2006 on further progress with the work programme.*

4. Background

The Planning Policy team is responsible for the preparation, monitoring and maintenance of the District Plan. Under the Resource Management Act 1991 (the RMA) the Council is required to have an operative District Plan. The District Plan was made operative in 2000.

In April 2004 the former Built and Natural Environment Committee considered a report on the approach for the review of the District Plan and the related work programme of the District Plan team. It was agreed that a full review of the District Plan would not be considered until the statutory review deadline of July 2010. In the meantime a rolling programme of updates and reviews was initiated and continues.

The 'rolling review' approach is still valid and is the most efficient option for the administration of the District Plan.

5. Discussion

5.1 The work programme

The District Plan work programme shown in Appendix 1 was agreed by the Committee in December 2005. In preparing the work programme priority has been given to areas of work based on an assessment against the following criteria, in order of weighting:

- the stage of the project (i.e. whether the project is a current project)
- the need for the work to implement the Council's strategies, in particular the Urban Development Strategy, Environmental Strategy and Transport Strategy
- any previous undertaking the Council has made to carry out the project
- any legal requirement (e.g. responding to a Court direction)
- whether the work is necessary to respond to a significant resource management issue
- benefits for the effective administration of the District Plan
- the risks to the Council and the environment.

The work programme represents a sequential review of the various chapters of the District Plan or specific Plan issues. The agreed sequence, in summary, is as follows:

Current reviews

- character areas: Newtown/Berhampore /Mt Cook (to be notified this year)
- heritage rules (notified 4 May 2006)
- heritage listings (to be notified late 2006)
- greenfield (Northern Growth) (to be notified mid 2006)
- central area and port (to be notified mid 2006)
- port noise (to be notified mid 2006)
- airport (re-notified late 2006)

Reviews to commence later this year

- earthworks (to be notified late 2006)
- residential infill and Outer Residential (commence mid 2006)
- multi unit design guides (commence mid 2006)
- growth spine (commence mid 2006)

Reviews to commence in later years

- suburban centres (2007-08)
- biodiversity (2007-08)
- outstanding landscapes (2008-09)
- open space and conservation areas (2008-09)
- institutional precincts (2008-09)
- esplanade reserves (2008-09)
- contaminated land (2008-09).

In recent months a number of specific issues have been identified around the District Plan rules for earthworks, vegetation control and suburban centres. Issues identified include the need to introduce design guidelines for suburban centre development and rules to manage the removal of vegetation cover on privately owned land.

The work programme was reassessed to determine whether any of the currently planned reviews could be delayed so that these parts of the District Plan could be reviewed sooner than indicated above. This assessment found that the sequence set out above still represents the most effective means of reviewing the District Plan when the criteria set out above (risk, strategic priority etc.) are applied.

At present there is also no capacity available within Council (or in the market for planning professionals) to increase the size of the planning policy team (and thereby the speed of the 'rolling' District Plan review). For example, the Planning Policy Team has had one staff vacancy that it could not fill since December 2005 due to the acute shortage of planning staff in New Zealand, Australia and the UK.

Delivery of the current review programme will be challenging if the current planning policy team vacancy cannot be filled within the next month or so. It may be necessary later this year to delay a number of the smaller plan changes to allow the work programme to proceed as set out above. The work programme will again be presented to the Committee in November to reflect on progress and capacity.

5.2 Progress update on major reviews

Plan Change 32 Renewable Energy – Plan Change 33 Ridgelines and Hilltops and Rural Area

District Plan Changes 32 and 33 (which were decided in April 2005) were the subject of 13 Environment Court appeals. Since this time progress has been made on mediating the appeals and to date five have been resolved. Recently the Environment Court decided to hear the resource consent appeals on the Meridian Energy wind turbine

proposal before the appeals to DPC 32 and 33. It is expected that a decision on the resource consent appeals will be helpful in resolving further District Plan appeals.

Plan Change 40 - Newtown Suburban Centre Character Area

This plan change is currently in the further submission phase and submissions close on 15 May 2006. The intent is to combine the hearings for this plan change with related plan changes for Newtown, Berhampore and Mt Cook (i.e. regarding controls on residential development and residential character). The hearing is scheduled for September following notification of the Central Area Review.

Newtown, Berhampore and Mt Cook Character Area

District Plan Change 38 and 39 address issues relating to residential character and the control of new residential development in Newtown, Berhampore and Mt Cook. The submission period for DPC38 has closed, and the further submission period for DPC39 closes on the 15 May 2006. It is intended to hear both plan changes together given the strong inter-relationship between the two plan changes. The hearing is scheduled for September following notification of the Central Area Review.

Heritage

Proposed District Plan Change 43 was publicly notified on 4 May 2006. This change provides generally for the strengthening of the regulatory controls to better protect the city's historic heritage. Key components of the plan change include redrafted objectives and policies to emphasise the protection of historic heritage; stronger rules to control modification to or the demolition of heritage buildings; new rules to control non-heritage building development or the subdivision of sites occupied by heritage buildings and enhanced heritage area provisions. The submission period will end on 3 July 2006.

Northern Growth Management Framework

In October 2003 the Council approved the Northern Growth Management Framework (NGMF). This established a growth management plan for the northern suburbs of the city. Since this time, various actions have been initiated to implement the framework. The next step is to change the District Plan to further advance the implementation of the Framework. The Proposed District Plan Change will have four key parts. These are:

Rezoning to facilitate new urban development.

Existing rurally zoned land between Churton Park, Newlands and Tawa will be rezoned as an 'Urban Development Area.' This generally covers the land identified in the NGMF for future urban growth. An Urban Development zoning would be an "interim" form of zoning that would bridge the period from the subdivision of raw rural land to its development for urban purposes and eventual zoning for residential, suburban centre, or open space. This will provide certainty to all stakeholders regarding the direction and processes for the development of new urban land.

New Objectives, Policies, and Rules.

The proposed new Urban Development Area zoning would have its own objectives, policies, and rules in the District Plan for managing the development of new urban

land. Under the rules all subdivision, earthworks, and development would require assessment by the Council against the following key documents:

- Approved structure plans to be appended to the District Plan Rules
- The Subdivision Design Guide (to be updated)
- The Council's Code of Practice for Land Development (to be updated)

Structure Plan for Lincolnshire Farm.

Several structure plans will be required to cover all of the land earmarked for future urban development. It is intended that these will be introduced progressively as they are developed. However, it is proposed that a structure plan for the Lincolnshire Farm area will be introduced as part of the initial rezoning package.

Revised Subdivision Design Guide.

The existing District Plan includes a Subdivision Design Guide that is used for the assessment of subdivision applications. Partly in response to the NGMF, this Design Guide has been reviewed and updated. These proposed changes must also be implemented by way of a formal change to the Operative District Plan and, for convenience, this will form part of the proposed NGMF plan change package.

Consultation will be undertaken on the plan change proposals and will be reported to the Strategy and Policy Committee in August 2006 for approval to publicly notify a change to the District Plan.

Central Area

The review of the Central Area chapter(s) is currently the subject of pre-consultation with key stakeholders and affected property owners. Feedback is being incorporated into the draft plan change as appropriate. To date two key areas of contention have been identified. These relate to the proposed heritage character areas and proposed limits to building heights through various design controls. Technical issues relating to the drafting of rules in these areas may result in a small delay in the notification date, and draft plan change is now scheduled to go to Strategy and Policy Committee in July for approval to notify (the original target date was mid-June).

Port

Plan Change 41 was notified on 16 December 2005 and introduces design and wind controls over the proposed Harbour Quays business park, which is being developed on 'surplus land' within the operational port area.

The Council has subsequently supported Centreport in the development of a master plan for the business park that will, if incorporated in the District Plan, provide stronger certainty on the scale and nature of development than the proposed Plan Change. The master plan will have its own design guidelines and will clearly define building bulk and location, and the development of roads and public spaces.

Centreport has tabled this master plan as a submission on Plan Change 41. If the master plan meets the Council's policy objectives, staff will recommend that Plan Change 41 be eventually withdrawn and that the master plan (and its design guide) be incorporated in the Central Area review (refer above).

Note that work is also progressing on a proposed Memorandum of Understanding with Centreport on timing and cost sharing arrangements with regard to Harbour Quays and other future port developments.

Airport

District Plan Change 42 was notified on 16 December 2005 to clarify the rules for non-airport related uses. The proposed plan change was necessary because of different interpretations about the status of non-airport activities. Increasing pressure from Wellington International Airport Ltd (WIAL) to undertake various non-airport related activities in the precinct highlighted this.

The initial submission period for DPC 42 closed on Monday 1 May 2006. Nine submissions were received on the proposed plan change - seven supporting or generally supporting the proposed plan change. One submission from WIAL opposed the plan change, and one submission requested the scope be expanded to amend the boundary of the Airport zone.

Officers will summarise the original submissions as part of the further submission process in accordance with the First Schedule of the Resource Management Act 1991.

Minor Amendments (“Rats n Mice”)

A ‘Rats ‘n Mice’ Plan Change will be presented to the Committee on 24 May involving:

- changing the zoning of 3 Council sites and 5 privately owned sites to reflect current land use (this includes WCC sites Glover Park as the Open Space zoning does not extend across the whole park; Corner of Campbell Street and Karori Road from Outer Residential to Suburban Centre; and two small parcels of land on Wadestown Road that are located in the middle of a playground. The playground is zoned Open Space yet these two parcels are Outer Residential).
- ratifying the historical, non cadastral zone boundaries of 5 privately owned sites (a non-cadastral boundary is one that has not been legalised by survey)
- minor text changes to provide a new definition of ‘Mast’ to improve the administration of the utility rules and the introduction of the standard non-notification statement for Rule 7.10 (Kiwi Point Quarry).
- rezoning of the former ‘lighthouse’ site in the Karori from Residential (Outer) to Suburban Centre to facilitate the development of the centre.

6. Conclusion

Despite staff shortages and additional workload good progress has been achieved on the District Plan work programme signed off by the Committee in December 2005. The Planning Policy Team is currently completing a number of key planning projects, including Plan Changes in various stages of their statutory process. Three major projects (Heritage rules, Central Area and Northern Growth) will result in Proposed

Plan Changes being notified during within the next four months, and new major projects relating to infill development and earthworks are to be initiated this year.

Contact Officer: *Brett McKay, Manager Planning Policy*

Supporting Information

1) Strategic Fit / Strategic Outcome

The proposed work programme supports the Council's overall vision of Creative Wellington – Innovation Capital. The policy supports Council Liveable City outcome.

2) LTCCP/Annual Plan reference and long term financial impact

The work programme relates to maintaining and updating the District Plan. It is provided for in the Team's Business Plan.

3) Treaty of Waitangi considerations

There are no specific Treaty of Waitangi implications, although provision has been made to respond to any iwi management plans that may be prepared.

4) Decision-Making

This is a significant decision. The report sets out the work programme for the management of the District Plan, with a number of projects responding to the Council's highest priority strategic outcomes.

5) Consultation

a) General Consultation

Consultation will be undertaken within the projects. No consultation is required for the work programme itself.

b) Consultation with Maori

Consultation will be undertaken within the projects as required. No consultation is required for the work programme itself.

6) Legal Implications

The programme reflects the Council's legal requirements in relation to the maintenance and review of the District Plan.

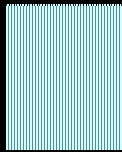
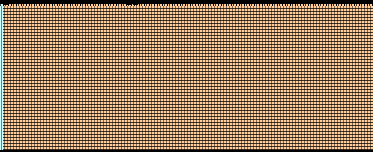
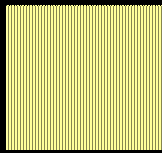
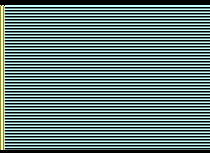
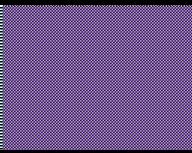
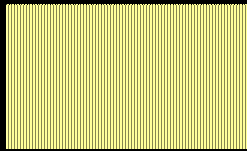

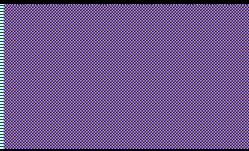
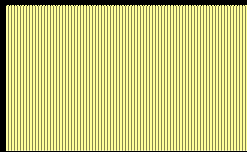
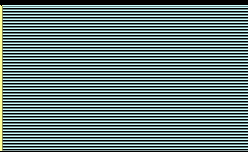
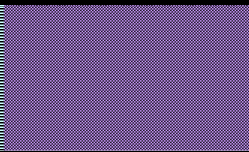
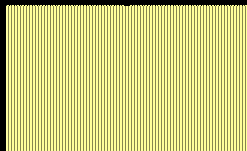
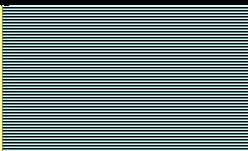
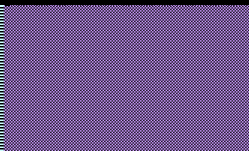
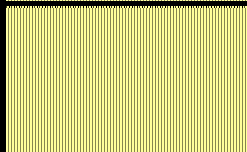
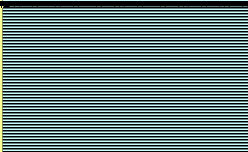
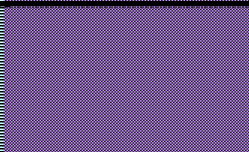
7) Consistency with existing policy

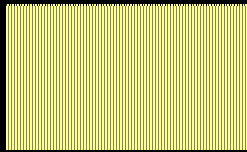
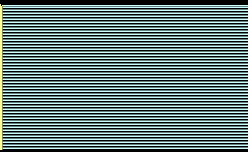
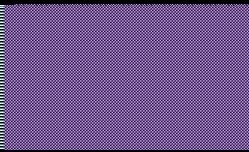
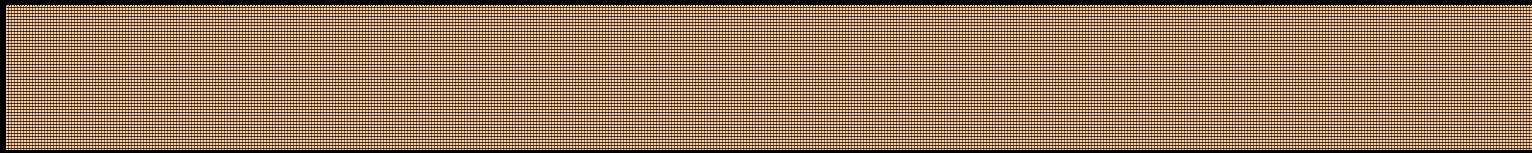
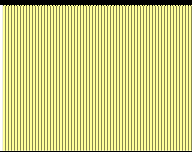
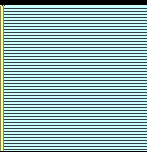
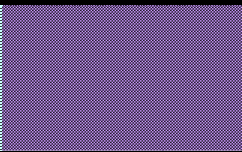
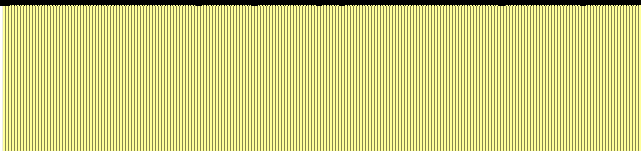
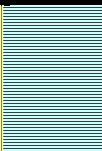
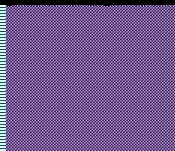
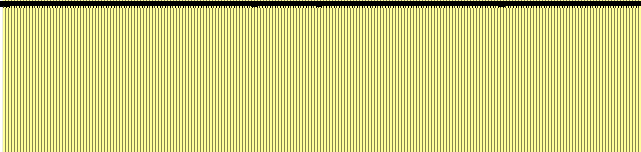
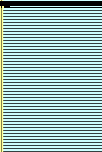
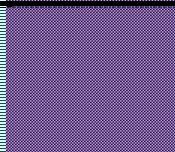
The proposed work programme is consistent with WCC policy.

District Plan Work Programme 2006 - 2010

Key	
L	Large
M	Medium
S	Small
	Drafting and research
	Notification and hearing (5 months)
	Appeal/possible appeal
	Indicative timeframe

Significant Projects (excludes Appeals to be resolved and small adjustments)	Jan – June 06	July – Dec 06	Jan – June 07	July – Dec 07	Jan 08 – Dec 08	Jan 09 – Dec 09	Jan – Dec 10
Current reviews							
Character: Newtown, Mt Cook and Berhampore							

Significant Projects (excludes Appeals to be resolved and small adjustments)	Jan – June 06	July – Dec 06	Jan – June 07	July – Dec 07	Jan 08 – Dec 08	Jan 09 – Dec 09	Jan – Dec 10
Character: Aro Valley Demolition Rule							
Heritage rules							
Heritage listing							
Northern Growth Management Framework							
Central Area (including Port)							
Port Noise							

Significant Projects (excludes Appeals to be resolved and small adjustments)	Jan – June 06	July – Dec 06	Jan – June 07	July – Dec 07	Jan 08 – Dec 08	Jan 09 – Dec 09	Jan – Dec 10
Airport							
“Rats ‘n Mice” (ongoing)							
Reviews to commence later this year							
Earthworks	  						
Residential Infill	  						
Outer Residential Area	  						

Significant Projects (excludes Appeals to be resolved and small adjustments)	Jan – June 06	July – Dec 06	Jan – June 07	July – Dec 07	Jan 08 – Dec 08	Jan 09 – Dec 09	Jan – Dec 10
Multi-Unit Guidelines							
Growth Spine							
Reviews to commence in following years							
Suburban Centres							
Biodiversity Protection							

Significant Projects (excludes Appeals to be resolved and small adjustments)	Jan – June 06	July – Dec 06	Jan – June 07	July – Dec 07	Jan 08 – Dec 08	Jan 09 – Dec 09	Jan – Dec 10
Outstanding landscapes							
Open Space and Conservation Area							
Institutional Precinct							
Esplanade Reserves							
Contaminated land							