

REPORT 5
(1215/52/IM)

PROPOSED DISTRICT PLAN CHANGE 36: NORTHERN GROWTH MANAGEMENT FRAMEWORK REFERENCE

1. Purpose of Report

To seek approval from the Committee to publicly notify proposed District Plan Change 36. The purpose of the Plan Change is to include a reference to the Northern Growth Management Framework (NGMF) under the Residential and Rural Area policies in order to better assist the functioning of the District Plan.

2. Executive Summary

Currently, there is no specific policy supporting the NGMF in one of the key regulatory instruments of the Council, the District Plan. The proposed Plan Change provides an interim solution to assist with the processing of resource consents for subdivision and earthworks in areas identified for future growth but still zoned Rural.

3. Recommendations

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Agree to publicly notify the proposed District Plan Change attached as Appendix 1 in accordance with the First Schedule of the Resource Management Act 1991.*
- 3. Adopt the Section 32 Report attached as Appendix 2.*

4. Background

The NGMF provides a 'strategy for achievement' for the future development of the northern suburbs of Wellington City. It establishes a set of growth management principles and an implementation programme for planning urban expansion. The aim is to attain the vision of an integrated, liveable, sustainable and prosperous community.

Council adopted the NGMF on 20 October 2003 and since this time the City Development Unit of the Urban Strategy Group has been leading the implementation of the Framework. The District Plan Team also has a project to initiate the updating of the

District Plan to promote the aims of the NGMF. This has made some progress but comprehensive District Plan changes will still take time to research and prepare.

In the meantime it has come to light that resource consents for subdivision development that is generally consistent with the NGMF can be frustrated by the lack of explicit policy reference in the District Plan to the NGMF. The current Residential and Rural zone policies for the development of land on the urban edge are not entirely aligned with the aims and objectives of the NGMF. Plan Change 36 is therefore proposed as an interim measure to provide appropriate policy reference to the NGMF until more comprehensive change provisions are introduced.

The proposed reference in the District Plan to the NGMF will be akin to the references in the Central Area chapter of the Plan relating to Waterfront Framework that were adopted last year.

A report on proposed Plan Change 36 was considered by the Strategy and Policy Committee in March of this year but was held in abeyance pending further consultation with key parties.

5. Consultation

As required the District Plan team has undertaken consultation with landowners and relevant community groups on the draft proposed District Plan Change 36. Written feedback was received from the following:

- Department of Conservation
- Truebridge Callender Beach ('TCB') on behalf of
 - J & MJ Walsh
 - Woodridge Estate Ltd
 - Best Farm Ltd
 - Lincolnshire Farm Ltd
 - Bellevue Lands Ltd
 - Ngaio Forest Suburn Ltd
- Spencer Holmes on behalf of
 - West Tawa Developments Partnership
- Glenside Progressive Association
- Seton Nossiter Park Working Party and
- the Horokiwi Community Association.

In addition, a meeting was held with officers from Greater Wellington – the Regional Council.

6. Discussion

The feedback received from the further consultation undertaken has been generally supportive. In particular, Spencer Holmes and TCB on behalf of their major landowning clients in the northern suburbs support the change proposals.

The Glenside Progressive Association and Greater Wellington requested that the values and principles of the NGFM be referenced in the policies subject to Plan Change. On reflection this is believed to be helpful and appropriate wording has been added to Policies 4.2.1.1(a) and 14.2.1.1(a).

Various other suggestions were made regarding the extent of the proposed changes. Greater Wellington, also requested that the change include additional direction and design standards. The Department of Conservation suggested the inclusion of further policy guidance for the protection of natural habitats and indigenous vegetation, as well as an amendment to the explanatory text for the policy in the Rural Area chapter. Similar sentiments were expressed by the Horokiwi Community Association and the Seton Nossiter Park Working Party.

After considering this feedback it is not considered that further additions should be made to the Proposed Plan Change at this stage. Work is continuing on the preparation of more comprehensive provisions for the rezoning of rural land on the northern fringes of the city and the measures and techniques to be recommended will address the concerns for more detailed guidance and control.

The intent is that Plan Change 36 be adopted as an interim measure to bridge a policy gap that presently exists. This is proposed to facilitate the processing of any new resource consent applications particularly for subdivision and earthworks that might be made from now until such time as more comprehensive provisions are introduced. Without the Plan Change 36, resource consent applications are open to greater challenge that could frustrate the ongoing implementation of the NGMF.

It is possible that if good progress can be made on more comprehensive plan change proposals they might overtake the processing of Plan Change 36. In this event consideration could then be given to withdrawing Plan Change 36.

6. Conclusion

Proposed Plan Change 36 that references the NGMF provides an important policy linkage that will assist in the ongoing development of the northern city fringe lands. The change will minimise potential challenges to development proposals which in principle fit with the NGMF. The proposals have general support from the key stakeholders and it is recommended therefore that the change be publicly notified.

Contact Officer: Christian Berg, Policy Advisor (District Plan)

Supporting Information

1) Strategic Fit / Strategic Outcome

Key Achievement Areas

This plan change has been proposed to assist the Council to introduce a more appropriate management regime into the District Plan (and/or use other methods) for managing activities on the City's NGMF areas. It therefore sits comfortably underneath other relevant strategic documents such as Council's KAAs (eg, the Council has four outcomes it wants to achieve in the Natural Environment area, relating to biodiversity, ecosystems, open space recreation, and landscape and natural heritage).

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

The NGMF identifies matters which form part of the LTCCP.

3) Treaty of Waitangi considerations

There are no outstanding Treaty of Waitangi issues with this draft plan change. However the process of identifying and establishing values regarding NGMF is of interest to our Treaty Partners and consultation has been undertaken.

4) Decision-Making

A decision to publicly notify the proposed Plan Change as an interim measure has implications on how Council can process resource consent applications for development in the NGMF area.

5) Consultation

a) General Consultation

Consultation has been undertaken internally with Resource Consent Planners and managers, and externally with affected parties and statutory authorities.

b) Consultation with Maori

Consultation has been undertaken with iwi and the Wellington Tenth Trust.

6) Legal Implications

The proposed Plan Change has been assessed in accord with the Resource Management Act 1991.

7) Consistency with existing policy

The Plan Change is consistent with some existing WCC policy, such as the Draft Outer Green Belt Management Plan and Inner Town Belt policies.

APPENDIX 1:

Proposed District Plan Changes

Key to annotated text

- Proposed new text to be added as part of the draft proposed plan change is underlined
- Existing text (Operative District Plan) to be deleted is ~~struck through~~
- Text to be altered/added by Plan Change 33 (still under consideration) is highlighted grey. The text has been added (and highlighted) for information purposes only and does not form part of this Plan Change.

4. RESIDENTIAL AREAS

[...]

4.2 Residential Objectives and Policies

OBJECTIVE

- 4.2.1 To promote the efficient use and development of natural and physical resources in Residential Areas.**

POLICIES

To achieve this objective, Council will:

- 4.2.1.1 Encourage new urban development to locate within the established urban areas.**

- 4.2.1.1(a) Provide for areas of anticipated future growth as identified in the Northern Growth Management Framework, in accordance with the values and principles of the Framework.**

METHODS

- Rules
- Operational activities (management of infrastructure)
- Other mechanisms (Northern Growth Management Framework)

The existing urban area of Wellington City is contained by the surrounding hills and particularly the Outer Green Belt that separates the urban area from the main rural areas of Makara and the Ohariu Valley. Council intends to contain urban development by the Outer Green Belt as it is considered that continued expansion beyond the Outer Green Belt will not promote sustainable management.

In 2003, the Council completed a comprehensive planning review of the future development of the northern part of the City between Newlands and Johnsonville in the south and Porirua to the north. The resulting Northern Growth Management Framework provides the communities, landowners, developers and Wellington City Council with a set of agreed goals and an agreed process for urban expansion. This includes the identification of areas currently zoned rural that are considered suitable for residential development and which will strengthen existing communities. Rezoning of areas earmarked for new urban development will be undertaken by way of future plan changes.

The edge of the urban area of the city is defined by the interface between the Outer Residential Area and nearby Rural and Open Space Areas. Council generally intends to contain new development within the existing urban area, as it considers that continuously expanding the city's edges will not promote sustainable management. Expansion beyond the existing urban form will only be considered where it can be demonstrated that the adverse effects, including cumulative effects, of such expansion can be avoided, remedied or mitigated. Applying more flexible

~~rules to encourage more mixed-use activity and allow for more intensive building development will help keep the city compact.~~

The environmental results will be that the city's development occurs in a manner which will reduce transport distances, make public transport systems more viable, and make better use of existing and intended infrastructure.

[...]

4.2.4.2 Control greenfield subdivision to ensure that adverse effects are avoided, remedied or mitigated and that if land is developed, it is developed in a way that will lead to neighbourhoods which have a high amenity standard and which are adequately integrated with existing and intended infrastructure.

METHODS

- Rules
- Design Guides
- Other mechanisms (Northern Growth Management Framework)

The District Plan Maps identify the extent of urban (primarily residential) areas on the basis of existing residential and suburban centre development and land subject to current subdivision consents. In accordance with the purpose of sustainable management, the aim is to provide for the intensification of land use within the urban area and potential growth areas as identified within the Northern Growth Management Framework to accommodate, where adverse effects can be avoided, remedied or mitigated, the orderly development of new subdivisions on the fringes of the existing urban area.

~~In most circumstances, greenfield-Greenfield subdivision will~~ may be considered as part of a District Plan change to extend the urban area. ~~This enables~~ However, the full effects of the potential development ~~to~~ can be assessed according to the Assessments will include the design of the subdivision, its impact on the natural and physical environment, and constraints (such as natural hazards) imposed by the environment, which may be identified by mechanisms such as the Northern Growth Management Framework.

The environmental result will be a ~~more~~ compact city and, where approved, the development of new subdivisions that are well designed and integrated with existing and intended infrastructure.

14. RURAL AREA

[...]

14.2 Rural Area Objectives and Policies

OBJECTIVE

14.2.1 To promote the efficient use and development of natural and physical resources in the Rural Area.

POLICIES

To achieve this objective, Council will:

14.2.1.1 Encourage new urban development to locate within—~~the~~ established urban areas.

14.2.1.1(a) Provide for areas of anticipated future growth as identified in the Northern Growth Management Framework, in accordance with the values and principles of the Framework.

METHODS

- Rules
- Design Guide (Rural Area)
- Operational activities (management of infrastructure)
- Other mechanisms (Northern Growth Management Framework)

The existing urban area of Wellington City is contained by the surrounding hills and particularly the Outer Green Belt that separates the urban area from the main rural areas of Makara and the Ohariu Valley.

Council intends to contain urban development to the east of the Outer Green Belt. Within the rural area to the east of the Outer Green Belt the Council will support well designed rural residential development in identified locations (shown on Appendices 4 to 7 in Chapter 15) on the city fringe if it can be demonstrated that this will promote sustainable management. In many of these areas steep slopes or difficult access will need to be overcome before consideration will be given to allowing rural parcels of land on the edge of the city to be subdivided. In general such sites will only be appropriate for a lower density of residential development than that allowed in residential areas. An assessment will need to be made on a case by case basis, with the Council seeking a high standard of design through the assessment of proposals against the Rural Area Design Guide.

In 2003, the Council completed a comprehensive planning review of the future development of the northern part of the City between Newlands and Johnsonville in the south and Porirua to the north. The resulting Northern Growth Management Framework provides the communities, landowners, developers and Wellington City Council with a set of agreed goals and an agreed process for urban expansion. This includes the identification of areas currently zoned rural that are considered suitable for residential development and which will strengthen existing communities. Rezoning of areas earmarked for new urban development will be undertaken by way of future plan changes.

The edge of the urban area of the city is defined by the interface between the Outer Residential Area and nearby Rural and Open Space Areas. Council generally intends to contain new development within the existing urban area, as it considers that continuously expanding the city's edge will not promote sustainable management. Expansion beyond the existing urban form will only be considered where it can be demonstrated that the adverse effects, including cumulative effects, of such expansion can be avoided, remedied or mitigated.

However, the Council recognises that some parts of the Rural Area are more likely to be suitable than others for future urban development. In particular, the land east of the motorway generally north of Newlands and south of Grenada North known as Lincolnshire Farm is a strategic resource for the future development of the city given its central location in the greater Wellington area, topography and access to infrastructure. Historically parts of this land have been identified for possible future urban growth. This land also has ridgelines and gullies with significant natural and landscape values which must be protected.

The environmental result will be that the city's development occurs in a manner which will reduce transport distances, make public transport systems more viable and make better use of existing and intended infrastructure.

[...]

OBJECTIVE

14.2.4 To ensure that the adverse effects of new subdivisions in the Rural Area are avoided, remedied or mitigated and that subdivision is consistent with the approach to containment of the urban area in this Plan.

POLICIES

To achieve this objective, Council will:

14.2.4.1 Control greenfield subdivision initiated in the Rural Area to ensure that adverse effects are avoided, remedied or mitigated and that if land is developed, it is developed in a way that will lead to neighbourhoods which have a high amenity standard and which are adequately integrated with existing and intended infrastructure.

METHODS

- Rules

- Design Guide (Rural Area and Subdivision)
- Other mechanisms (Northern Growth Management Framework)

The District Plan Maps identify the extent of urban (primarily residential) areas on the basis of existing residential and suburban centre development and land subject to current subdivision consents. In accordance with the purpose of sustainable management, the aim is to provide for the intensification of land use within the urban area and potential growth areas as identified within the Northern Growth Management Framework to accommodate, where adverse effects can be avoided, remedied or mitigated, the orderly development of new subdivisions on the fringes of the existing urban area.

~~In most circumstances, greenfield~~ Greenfield subdivision ~~will~~ may be considered as part of a District Plan change to extend the urban area. ~~This enables~~ However, the ~~full~~ effects of the potential development ~~to~~ can be assessed according to the ~~Assessments will include the~~ design of the subdivision, its impact on the natural and physical environment, and constraints (such as natural hazards) imposed by the environment, which may be identified by mechanisms such as the Northern Growth Management Framework.

The environmental result will be a ~~more~~ compact city and, where approved, the development of new subdivisions that are well designed and integrated with existing and intended infrastructure.

APPENDIX 2:

Section 32 Report

PROPOSED DISTRICT PLAN CHANGE 36: NORTHERN GROWTH MANAGEMENT FRAMEWORK REFERENCE

1. Introduction

Section 32 of the Resource Management Act 1991 (the Act) stipulates a requirement to consider alternatives and examine the appropriateness of objectives, as well as to evaluate the benefits and costs of adopting any policy, rule, or method in the District Plan.

This Plan Change proposes to make technical policy amendments to the District Plan. The Plan Change can be considered as an interim solution, a first step towards giving affect to the Northern Growth Management Framework (NGMF) in the District Plan. Due to the nature of the proposed amendments there are only limited options available, do nothing, or undertake the proposed Plan Change. This report has been prepared to address the section 32 requirements.

2. Context

The purpose of the Resource Management Act 1991 (the Act) is to promote the sustainable management of natural and physical resources. This places a mandate on Council to amend the District Plan, if required.

The District Plan is the Council's primary vehicle for achieving the purpose of the Act. It provides for the management of activities in the Wellington City District through objectives, policies and methods (including rules).

No alterations are proposed to existing objectives and rules through this proposed Plan Change. This Plan Change relates primarily to amending some District Plan policies, methods and explanatory text in the Residential and Rural Area chapters of the District Plan.

3. Process & Consultation

The process which led to the development of this Plan Change is part of a wider agreement under the NGMF which was prepared in 2001/02. This is the first step towards the implementation of the NGMF by introducing a NGMF reference into the District Plan. The Council is currently undertaking further work, which looks at the

implementation of the NGMF in greater detail (e.g. through zone changes, structure plan) and further District Plan Changes are likely.

As agreed by the Strategy and Policy Committee on 17 March 2005, the District Plan team has undertaken consultation on this proposed Plan Change with affected parties (including landowners, resident associations, other planning authorities, Ministry for the Environment and iwi). This approach fits into the wider consultation agenda of the NGMF, undertaken by John Culliford, City Projects Manager, City Development. Letters were sent out to stakeholders on 18 March 2005. The feedback received from this round of consultation is, in general, in support of the proposed Plan Change. Some of the suggestions provided have been incorporated into the Plan Change, others will be dealt with through work currently undertaken by the Council.

Consultation, in accordance with the 1st Schedule of the RMA

- Ministry for the Environment
- Tenth Trust (Te Atiawa)
- Te Runanga O Toa Rangatira Inc
- Greater Wellington (Regional Council)
- Department of Conservation
- Porirua City Council

4. Options

The following table provides an analysis of the pros and cons of the proposed amendments to the District Plan policies to assess the efficiency, effectiveness and appropriateness of the proposed Plan Change.

Only two options have been considered for this assessment due to the relatively minor nature of these proposed amendments:

- a) to do nothing and deal with the issue as part of a wider District Plan review, or
- b) to amend the District Plan as an interim measure.

Table 1: Matrix of Options for the Proposed District Plan Change

	<p>OPTION 1: Do Nothing and deal with the issue as part of a wider District Plan review</p>	<p>OPTION 2: Amend the District Plan to make mention of the NGMF in the policies and methods of the Residential and Rural Area Chapters</p> <p>This is the RECOMMENDED option.</p>
<p>Costs</p>	<ul style="list-style-type: none"> • Environmental costs – potentially high: currently, Resource Consent planners have no legal grounds to assess development applications in the NGMF area according to the values and principles of the Framework which could result in undesired design of new greenfield subdivisions • Economic costs – potentially high: any development approval in the NGMF area is potentially subject to challenge which could impose costs to the Council as well as developers • Social costs – high: currently no certainty to developers, landowners and affected communities forming the ‘Partnership of the North’ 	<ul style="list-style-type: none"> • Environmental costs – relatively low: even though the NGMF is put in place to manage northern growth, it provides a set of values and principles under which sustainable growth can be managed • Economic costs – costs of processing the Plan Change • Social costs –the implementation of the NGMF could potentially constitute an unsatisfying outcome for some community members that prefer continuation of the status quo
<p>Benefits</p>	<ul style="list-style-type: none"> • Environmental benefits – no change • Economic benefits – no cost of undertaking the Plan Change • Social benefits – none 	<ul style="list-style-type: none"> • Environmental benefits – NGMF provides a set of values and principles under which sustainable growth can be managed • Economic benefits – increased level of certainty for applicants of subdivision resource consents • Social benefits – reassurance is given to local community that NGMF will be implemented as agreed

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	OPTION 1: Do Nothing and deal with the issue as part of a wider District Plan review	OPTION 2: Amend the District Plan to make mention of the NGMF in the policies and methods of the Residential and Rural Area Chapters This is the RECOMMENDED option.
Efficiency and Effectiveness of achieving Objectives	<ul style="list-style-type: none"> Limited. The NGMF is a strategic document that has been subject to considerable analysis and public consultation. Failure to acknowledge the NGMF in the District Plan is considered to be inconsistent with objective 4.2.1 to “promote the efficient use and development of natural and physical resources”. At present, the NGMF sits outside the District Plan and therefore cannot be applied by Council officers to its fullest extent. 	<ul style="list-style-type: none"> Moderate. Will allow the NGMF’s objectives to be considered in the interim, until a wider, more extensive Plan Change is prepared to fully implement the Framework.
Most appropriate means of achieving Objectives	<ul style="list-style-type: none"> Limited. Not considered most appropriate, because the NFMG cannot be applied by Council officers to its fullest extent. 	<ul style="list-style-type: none"> Moderate. Appropriate to achieve the NGMF’s objectives in the interim until a wider, more extensive Plan Change is prepared to fully implement the Framework.

6.0 Conclusion

This Plan Change proposes to include a reference to the NGMF under the Residential and Rural Area greenfield subdivision policies. The proposed amendment would better assist the functioning of the District Plan in the interim until a wider, more extensive Plan Change is prepared to fully implement the Framework.

The assessment shows that there are only limited options available due to the nature of this Plan Change. By adopting the recommended option, Council would facilitate the first step towards the implementation of the NGMF.