
REPORT 2
1215/52/IM

DRAFT PROPOSED DISTRICT PLAN CHANGE 36: NORTHERN GROWTH MANAGEMENT FRAMEWORK REFERENCE

1. Purpose of Report

To seek approval in principal from the Committee to consult on a draft District Plan Change. The purpose of the draft Plan Change is to include a reference to the Northern Growth Management Framework under the Residential and Rural Area greenfield subdivision policies in order to better assist the functioning of the District Plan.

2. Executive Summary

Currently there is very little policy supporting the Northern Growth Management Framework in one of the key regulatory instruments of Council, the District Plan. The proposed draft Plan Change offers an interim solution to deal with Rural Area subdivision (and earthworks which maybe independent of subdivision) in areas considered suitable for future growth, as outlined by the Northern Growth Management Framework.

3. Recommendations

It is recommended that the Committee:

- 1. Agree to approve in principle the draft Proposed District Plan Change (Appendix one)*
- 2. Agree that officers undertake consultation with landowners and relevant community groups on the draft Proposed District Plan Change*
- 3. Agree that officers report the results of consultation back to the Strategy and Policy Committee*

4. Background

During the preparation of the Northern Growth Management Framework (NGMF) in 2001/02, the issues identified were:

- Form and structure of future urban expansion in Johnsonville West, Stebbings Valley, Woodridge, Lincolnshire Farms, Newlands escarpment and the Takapu Road area
- Completion of the Outer Green Belt between Johnsonville Park and Spicer's Bush
- Green open space provision in Porirua Stream, Belmont Gully, Grenada Gully and along Belmont Regional Park
- Recreational walking tracks and linkages to green areas (including the Old Coach Road issue)
- Other infrastructure issues: water supply, stormwater and sewerage linkages and capacity
- A framework for local area development: town and neighbourhood centre development; playground provision; community facilities; and others as identified.
- Roading linkages (e.g. Northwest Connector), roading capacity and congestion problem areas
- Public transport issues including railway station upgrades including park and ride facilities and

One issue with the NGMF is that while the Framework gives overall direction to the integration of development type/densities, green and blue networks, town centres, and the transport networks, this is at a conceptual level only. While this provides a basis for officers assessing resource consent applications for developments envisaged by the NGMF, Council could be subject to challenge in the absence of regulatory guidance provided by the District Plan for the wider and longer term NGMF concept.

An example of this is an application Council recently received for extensive earthworks in an area envisaged to become residential by the NGMF but which is currently zoned Rural. No issue existed with the proposed works insofar as the ultimate residential outcome, however the consideration of more detailed matters such as future roads and 'green and blue networks' (streams, ridges, bush remnants) caused some concern during the processing of the application, particularly in light of District Plan policies for the Rural Area which are geared toward retaining rural character. At present the NGMF is not acknowledged in any significant way in the District Plan policies.

In addition to potential challenge Council may face with the absence of relevant NGMF policies in the District Plan, it is also important for Council to not compromise nor be seen to compromise the established relationship known as "Partnership for the North". While the Partnership is yet to be finalised with respective parties, both developers and other interested parties are aware that Council's most significant lever is the use of regulation, i.e. District Plan provisions/resource consent approval. Council's role as advocate, facilitator, service provider, land owner and rating authority in the NGMF should align with its role as regulator.

As an initial measure, reference to the NGMF in relevant District Plan policies would go some way toward relieving actual and perceived hurdles that could hinder

implementation of NGMF projects. It is important to note that this is not for Council to lessen its role as regulator in light of other roles, rather it is intended to acknowledge the direction and inevitable development changes of land zoned Rural on the northern areas of the district. The relevant policies relating to residential and greenfield developments (located in the Rural zone) are proposed to be amended to ensure that the effects of incremental NGMF change are acknowledged.

5. Discussion

As an interim measure, a Plan Change which provides some acknowledgement of the NGMF in relevant policies affected by NGMF is recommended so as to avoid any contestability over Rural zone development policy. This is in tandem with further work Council is undertaking at present, which looks at the implementation of the NGMF in greater detail (e.g. zone changes, structure plans).

Currently, there is no specific reference in the District Plan for future residential allotments envisaged by the NGMF. Consequently, resource consent applications for subdivision which are non-complying activities under the Plan (and under Plan Change 33) make any approval potentially subject to challenge irrespective of how well the development may accord with the NGMF. This is also potentially an issue for earthworks approvals.

It is proposed to include a reference under the Rural Zone policies which expressly recognises NGMF outcomes. For District Plan consistency, these changes would also apply to the Residential zone. This interim solution will assist with the assessment of resource consent applications for greenfield subdivisions and earthworks in the Rural Area until rezoning proposals including more substantial subdivision provisions are initiated. Work towards the development of new provisions for the northern growth area is currently being undertaken including work on updating the Design Guide for Subdivision and the Code of Practice for Land Development.

While rules and assessment criteria are also relevant to the implementation of the NGMF, many of these provisions are subject to Plan Change 33. To amend these will require a variation to Plan Change 33 on which the Hearing's Panel are currently drafting their decision. Any change to these could potentially stall that Plan Change if issues arose on proposed changes made for NGMF. Given this, it is considered that adequate provision can be made to address the effects of NGMF development by way of policy amendment alone, until such time that further plan changes take place which may not only address rural provisions, but also possibly structure plans or the like. Council is currently investigating these further plan change methods.

Consultation with affected parties (including other planning authorities, Ministry for the Environment and iwi) will be undertaken in conjunction with the wider consultation agenda of the NGMF, undertaken by John Culliford, City Projects Manager, City Development.

In addition to consultation, the Plan Change process will include public notification, formal submission and further submission periods, hearings and decisions. This is necessary in order to draw out any issues with this interim approach.

6. Conclusion

The purpose of the draft Proposed Plan Change is to provide an interim measure for considering any resource consent applications that begin to establish development envisaged by the NGMF. Currently the Rural provisions in the District Plan do not adequately support the NGMF. In order to avoid potential challenge to development proposals which in principle have been agreed to under the NGMF and Partnerships of the North, amendment to existing policies is proposed to acknowledge the NGMF. Further work and likely plan changes will take place later to fully implement the NGMF.

Consultation as required under Schedule 1 of the RMA 1991 will take place, and an additional report recommending notification of the Plan Change (with any additional amendments if required) will be prepared once consultation has been completed. This will also include the required Section 32 report.

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 further consultation is to take place

4) Decision-Making

Further consideration by the Strategy and Policy Committee for notifying the draft Plan Change.

5) Consultation

a) General Consultation

Consultation will be undertaken with affected parties and statutory authorities.

b) Consultation with Maori

Consultation will be undertaken with iwi and the Wellington Tenth Trust.

6) Legal Implications

Once approved by the Strategy and Policy Committee the draft plan change will be legally reviewed prior to notification.

7) Consistency with existing policy

The Draft 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

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 and areas anticipated for future growth as identified in the Northern Growth Management 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 and areas anticipated for future growth as identified in the Northern Growth Management 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 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 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
- 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.

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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.