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Report to Environment Committee
from Richard Peterson, Policy Advisor (Statutory)

Regional Council Input to District Planning

1. Purpose

To inform the Committee of Regional Council input to the statutory resource management processes of territorial authorities in the western part of the Region.

2. Overview

2.1 Resource Consents

Seven notified resource consents were received during the period since the last report (written on 11 July). None of the applications will require a submission from the Regional Council.

The following is a summary of recent progress on the consents that the Council has submitted on in previous report periods:

Pukenamu Estates Subdivision, Te Horo - KCDC

This proposal is for a 16 Lot rural hamlet subdivision immediately to the south of Te Horo. KCDC approved the application with conditions that resolved the Regional Council's concerns in December 1999.

Since, the decision has been the subject of numerous appeals. The Regional Council registered its interest in one of these appeals. This appeal requested that a condition be imposed on the consent requiring the applicant to extend the access road to the southern boundary of the Pukenamu Estates property. It is clear that the appellant's intention was to be able to link a future subdivision on their own property onto this road.

The Regional Council's concern was that allowing the appellant's request will encourage ribbon or sprawling development along a further stretch of the Kapiti Coast.

In doing so it may preclude more appropriate or environmentally sensitive subdivision designs.

During Environment Court mediation held on 21-22 August the appellant indicated that they would withdraw their appeal.

Hoggard Subdivision, Te Horo - KCDC

This application was originally for a 3 lot subdivision on Settlement Road Te Horo. The application was reduced to 2 lots in response to the concerns of neighbours. The Regional Council submitted raising a concern about the adequacy of the information provided on the proposed on-site effluent disposal system. In response the applicant provided further information resolving this concern. As a result, the Regional Council did not attend the hearing.

KCDC resolved to refuse consent to this application because the hearings committee argued that the proposal was contrary to the District Plan which seeks to ensure that the open space of the alluvial plain area is not compromised by subdivision of land into blocks of less than 4 hectares.

Manor Park Cleanfill - HCC

This application is for a cleanfill operation adjacent to the Hutt River at Manor Park. A resource consent for this proposal has already been granted from the Regional Council. This consent allows cleanfill material to be deposited in the Hutt River Floodway. The Regional Council submitted on the landuse consent to HCC asking that if any flood protection conditions are imposed they are consistent with those imposed by the Regional Council. The landuse consent is due to be heard on 23 August.

Baxter's Knob Recreation/Leisure Park- PCC

The Regional Council's submission on this application raised transport and bulk water concerns, but identified conditions that would resolve these concerns. The application was approved by PCC. The City Council's decision included conditions that resolved the Regional Council's concerns. However the decision has subsequently been appealed by the Aotea College Board of Trustees. It is not necessary for the Regional Council to register an interest in this appeal.

Bird Rehabilitation Centre, Lowry Bay -HCC

The Regional Council supported the bird rehabilitation centre at Lowry Bay. The facility was supported because of the role it will play in the Region's Marine Oil Pollution Response Contingency Plan. The hearing on this application was held between 12-14 July before Commissioners and the decision to approve the application has recently been released.

Capital Topsoil Supplies - WCC

This is an appeal by local residents against a land use consent granted by Wellington City Council to mine topsoil from a property in Ohariu Valley. Following relatively lengthy Environment Court mediation, all parties have reached an agreement on an acceptable management plan and acceptable consent conditions. WCC is currently drafting a memorandum to the Environment Court that will ask the Court to accept this agreement.

Te Hapua Road Subdivision - KCDC

There has still not been a date set for the reconvened hearing for this application.

Wharfe Quarry, Pauatahanui - PCC

The hearing for this application is also to be reconvened. PCC are waiting to hear the Environment Court's decision on numerous procedural matters and also on enforcement proceedings brought by the quarry's downstream neighbour. As yet no date has been set for the reconvened hearing.

Valley Plaza (previously ProMall) - UHCC

The Regional Council has an appeal against UHCC's decision to grant the land use consent for this proposal. The Regional Council's appeal relates to UHCC's decision to impose a 1900 cumec flood protection standard for the mall buildings. Consistent with the standard emerging from the Hutt Flood Plain Management Plan process, the Regional Council is seeking that the flood protection standard be set at 2300 cumecs. The Regional Council is working with UHCC and Valley Plaza in an attempt to reach an agreement.

2.2 District Plans

Kapiti Coast District Council

Kapiti Coast District Council has released a summary of the submissions that it has received on the changes proposed to the District Plan. The Regional Council is currently evaluating whether it needs to make any further submission either in support or opposition to those submissions that KCDC has already received.

One of the most contentious changes proposed by KCDC would have allowed homestays as a permitted activity on Kapiti Island. It now seems likely that KCDC will withdraw this proposed change.

Wellington City Council

The Regional Council has signed a consent order that incorporates the agreement it reached with WCC and TranzRail over the railyard development (Variation 8). The WCC Plan became operative on 27th July.

At the last Environment Committee, staff from WCC made a presentation on the "way forward" for the redevelopment of Lambton Harbour. As part of this way forward the City Council has subsequently appointed the Waterfront Leadership Group. This group, which includes 3 City Councillors and 7 community members, has been tasked with developing the overall framework for the redevelopment of Lambton Harbour.

Upper Hutt City Council

As anticipated in my previous report, the Regional Council made a submission on the designation requirement by UHCC for an extension to Norana Road, Timberlea. The Regional Council's submission aims to ensure safe and convenient access to its pumping station that is situated near the proposed Norana Road and State Highway 2 intersection. As a consequence of this submission, an agreement has been reached with UHCC on an appropriate designation condition.

3. State Highway Upgrades

3.1 State Highway 1 – Urban Section

The Environment Court hearing for this designation requirement begins on 28 August. Tony Brennan has been summonsed by the Paremata Residents Association and the Transmission Gully Action Council. Tony has been summonsed to present evidence on Transit's latest option and its relationship with the Regional Land Transport Strategy and Transmission Gully.

The Regional Council is in the process of signing a memorandum to the Court with Porirua City and Transit which includes agreed designation conditions.

A Heads of Agreement will also be signed before the hearing commences. The Heads of Agreement includes an undertaking by Transit that they will complete a review of the upgraded urban section by 2005 at the latest.

4. Communications

The matters referred to in this report are part of on-going statutory process, and these processes are the appropriate way of communicating the information.

5. Recommendation

That the report be received and the information noted.

Report prepared by:

Approved by:

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