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Report to the 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 6 June). It is unlikely that any submissions will need to be made in response to these applications. One draft subdivision proposal was also received for an area of land to the north-west of the Hutt Road/Kaiwharawhara Road intersection in Wellington. In response to this proposal a letter was sent outlining transport and bio-security interests.

As anticipated in my previous report, two submissions have been made during this report period on applications received in the last report period. The first addressed effluent disposal concerns in relation to a 3 lot subdivision at Te Horo. The second addressed flood protection concerns about a cleanfill application adjacent to the Hutt River at Manor Park. Both applications have yet to be heard.

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

Baxter's Knob Recreation/Leisure Park- PCC

The Regional Council's submission on this application raised transport and bulk water concerns, but identified conditions which would resolve these concerns. The hearing for this application was held on 16 June. While the decision on the application has not yet been released, as the applicant supported the Regional Council's conditions, it is expected that these will be part of the consent.

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 is to be held between 12-14 July. An officer from the Regional Council's Harbours Department will present evidence outlining the reasons for the Regional Council's support.

Capital Topsoil Supplies - WCC

This is an appeal by local residents against a landuse consent granted by Wellington City Council to mine topsoil from a property in Ohariu Valley. Following Environment Court mediation the applicant agreed to prepare a more detailed management plan. This plan will be discussed at a further mediation meeting scheduled for 14 July.

Te Hapua Road Subdivision - KCDC

As previously reported, Kapiti Coast District Council released an interim decision on this application on 18 May 2000. Effectively this refuses consent to the application unless the applicant agrees to significant changes.

Since the decision was released Tim Porteous and myself met with the applicant's representatives. It now seems likely that the applicant will accept the conditions being proposed by the District Council. Included amongst these will be provisions which limits the number of habitable lots to six.

The hearing will need to be reconvened to confirm this. As yet no date has been set.

Wharfe Quarry, Pauatahanui - PCC

This application relates to an existing quarry operated by John Ray Ltd, on land owned by Kevin and Lynette Wharfe within the Pauatahanui catchment. The Regional Council submitted opposing the application on 3 grounds - silt control, access onto State Highway 58 and potential impact on Belmont Regional Park.

The hearing on this application was initially held between 21-23 June. It was reconvened twice following this on 28 June and 7 July. On 7 July the Hearing Commissioners resolved to adjourn the hearing for a third time until the Environment Court releases its decisions on a number of declaration and enforcement proceedings that Dr Steiner, the downstream neighbour, has brought against the quarry. The applicants have undertaken to use this time to resolve the silt control issue.

2.2 District Plans

Kapiti Coast District Council

Kapiti Coast District Council have formally notified the plan changes which I referred to in my previous report. As mentioned, the Regional Council's main concern is to tighten the District Council's earthwork provisions so that topsoil mining is appropriately managed in the District and so that landowners are unable to detrimentally affect the natural character of the sand dune environment. A submission will be made emphasising these points.

Wellington City Council

The Regional Council, Tranz Rail and Wellington City Council have reached an agreement about the wording to be included in Variation 8 (Railyard Development). This wording satisfies the Regional Council's three transport related concerns. As yet an official consent order has not been signed.

Following the last Environment Committee, a submission was made by the Regional Council on Wellington City Council's proposed "way forward" on the redevelopment of Lambton Harbour. This re-emphasised the concerns that the Regional Council had made previously about the quality of consultation, the limited consideration that had been given to transport issues and the failure to explicitly recognise the links with the Regional Coastal Plan.

In response to this submission, Regional Council officer's met with staff from the City Council on 5 July. This was a productive meeting and, as a result, Regional Council officers will be asked to provide advice to the leadership group that is to be formed for Lambton Harbour. The City Council also agreed to make a presentation about the intended process to this Committee.

Hutt City Council

The Hutt City Council has scheduled hearings relating to the Financial Contribution and Resource Consent notification provisions of their District Plan for August. The Regional Council has a small number of submission requests relevant to these provisions of the District Plan. A decision is yet to be made whether to attend the hearing.

Upper Hutt City Council

The Regional Council will present its evidence on a large part of the Proposed Upper Hutt District Plan on 18 July. This will cover issues ranging from the zoning of Kaitoke Regional Park, signage for the use of agrichemicals, and ecosystem protection within Upper Hutt City.

Upper Hutt City Council has also notified a designation requirement that they have received from their operations division. The requirement is to designate an area of land for the extension of Norana Road, Timberlea. The Regional Council has water supply

facilities in the vicinity of the requirement and we are currently assessing if we need to make a response.

2.3 **State Highway Upgrades**

State Highway 1 – Urban Section

The Regional Council, Porirua City Council and Transit New Zealand have been negotiating a Heads of Agreement and designation conditions for the urban section upgrade at Mana Esplanade. A major purpose of the Heads of Agreement is to ensure that both Councils are involved in the decisions that Transit makes on the future of this section of State Highway following the completion of Transmission Gully in 2005/06. The Agreement also ensures that Transit will consult both Councils about the future of this section of State Highway in the event that Transmission Gully does not go ahead as currently planned.

State Highway 1 - MacKays Crossing

The Regional Council is continuing to work with Transit New Zealand, the Department of Conservation and the relevant Iwi Authorities on the implications of this upgrade. The main concerns relate to potential impacts on Queen Elizabeth Park, on the wetlands in the vicinity of the upgrade, and on the known and unknown archaeological/heritage sites in the area.

Transmission Gully

On 6 July the Regional Council, the Department of Conservation and Transit New Zealand met with Beca Carter, Transit New Zealand's consultants, to discuss Transit's latest proposal to resolve the silt control issues associated with the Highway. Transit's aim is to develop silt control measures that remove the need for the current requirement that they retire land and plant in advance of the Highway's construction.

The latest proposal is currently being considered and a response is to be made to Transit New Zealand, via Beca Carter, in the week beginning 17 July.

State Highway 58

Transit New Zealand has recently submitted the resource consent applications and designation requirements for the upgrade of State Highway 58. These have yet to be notified. With respect to the designation requirement, the Regional Council will have an interest with regard to strategic transport issues, Belmont Regional Park and bulk water supply.

State Highway 2 - Dowse to Petone

The Regional Council has been involved in a series of on-going meetings with Transit New Zealand on this upgrade. The Regional Council has three main areas of interest in

addition to its consent responsibilities. These three areas of interest relate to transport, flood protection and Regional Park concerns.

The meetings with Transit will continue throughout the year. It is Transit's intention to lodge the designation requirement and resource consent applications either late this year or early next.

3. 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.

4. Recommendation

That the report be received and the information noted.

Report prepared by:

Approved for submission by:

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