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**REPORT 1**  
*(1215/52/IM)*

## **NORTHERN GROWTH MANAGEMENT FRAMEWORK IMPLEMENTATION –**

- **PROPOSED DISTRICT PLAN CHANGE 45 - URBAN DEVELOPMENT AREA AND STRUCTURE PLANS**
- **PROPOSED DISTRICT PLAN CHANGE 46 - SUBDIVISION DESIGN GUIDE REVIEW**
- **PROPOSED DISTRICT PLAN VARIATION 2 – AMENDMENTS AND DELETIONS TO PROPOSED DISTRICT PLAN CHANGE 33 (RIDGELINES AND HILLTOPS (VISUAL AMENITY) AND RURAL AREA)**

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### **1. Purpose of Report**

The purpose of this report is to seek the approval of the Committee for the public notification of District Plan changes 45 and 46 and Variation 2 to Proposed District Plan Change 33. The proposals provide for the rezoning of land in the northern suburbs including associated objectives, policies and rules to assist the implementation of the Northern Growth Management Framework (NGMF). A structure plan has been prepared for the Lincolnshire Farm area that will be implemented as part of the proposed new Urban Development Area rules.

### **2. Executive Summary**

In December 2005 the Committee considered a report that provided the direction for implementing the NGMF through the District Plan. Since this time work has continued on the preparation of appropriate District Plan measures including a structure plan for the Lincolnshire Farm area to the east of the motorway.

District Plan proposals have now been prepared that consist of three parts.

1. Proposed District Plan Change 45 (DPC 45) provides for the rezoning of the Lincolnshire Farm area and adjacent land from Rural to Urban Development Area. The new zoning includes an objective, policies and rules for the future management of the Urban Development Area.

Structure plans provide a key component of the rules that establish the framework for the ongoing development of new urban land. DPC 45 introduces the first structure plan for the Lincolnshire Farm Area. The structure plan proposes that staged development of the site (over approximately a 10-15+ year period) will include:

- New road connections, as well as recreation and ecological links and protection
  - A business area with local employment opportunities of around 45 hectares in size
  - 800-900 new households in a variety of densities and styles
  - A 4-lane link road from State Highway 1 between Tawa and Grenada interchange connecting to State Highway 2 between the Petone and Dowse interchanges in the Hutt Valley
2. Proposed District Plan Change 46 (DPC 46) introduces a revised Subdivision Design Guide that will be applied to assess new subdivisions in the northern suburbs and elsewhere in the city.
  3. Proposed Variation 2 covers various consequential amendments and deletions to Proposed District Plan Change 33 (DPC 33) arising from the introduction of DPC 45. Plan Change 45 amends several provisions in the existing Rural Zone but these provisions also form part of the current change for the review of the Rural Chapter (DPC 33). The same amendments to DPC 33 require a variation to the District Plan.

The report outlines the content of the proposed changes and variation and recommends public notification of the provisions as required under the Resource Management Act 1991.

### **3. Recommendations**

It is recommended that the Committee:

1. *Receives the information.*
2. *Agrees to publicly notify Proposed District Plan Change 45 as set out in Appendix 1 of this report in accordance with Schedule 1 of the Resource Management Act 1991.*
3. *Agrees to publicly notify Proposed District Plan Change 46 as set out in Appendix 2 of this report in accordance with Schedule 1 of the Resource Management Act 1991.*
4. *Agrees to publicly notify Proposed District Plan Variation 2 as set out in Appendix 3 of this report in accordance with Schedule 1 of the Resource Management Act 1991.*

5. *Agrees to adopt the Section 32 reports for Proposed District Plan Changes 45 and 46 and Proposed Variation 2 as included in Appendices 1,2 and 3 of this report.*
6. *Agrees to delegate to the Portfolio Leader for Urban Development the authority to approve minor editorial changes to the documentation of Proposed District Plan Changes 45 and 46 and Proposed Variation 2 as may be required before public notification.*
7. *Agrees that the period for submissions on District Plan Changes 45 and 46 and Variation 2 be a minimum of 40 working days.*
8. *Note that a revised Code of Practice for Land Development (with the inclusion of appropriate key sustainable urban development practices for stormwater management, road layout and design and sediment control) will be presented to the Committee for consideration before March 2007.*

## **4. Background**

### *Introduction*

On 8 December 2005 a report was presented to the Strategy and Policy Committee outlining proposals for the rezoning of land in the northern suburbs to assist with the implementation of the NGMF. The Committee agreed the following recommendations:

- *Agrees to the proposed District Plan measures for the implementation of the Northern Growth Management Framework subject to the consultation to be undertaken in accordance with the Consultation and Communication Plan.*
- *Agrees that a report on the results of consultation including a draft District Plan Change ready for public notification be presented to the Strategy and Policy Committee before June 2006.*

Since this time work has proceeded on the preparation of an appropriate package of District Plan measures to implement the NGMF involving comprehensive consultation with a wide range of interested parties.

As proposed in the 8 December report the work focused on the creation of a new Urban Development Zone to provide for the urbanisation of existing rural land. This zoning was to provide certainty to land owners, developers and adjacent communities regarding the future use of land for various urban purposes. In addition the new zoning was to promote a form of subdivision development that would achieve highly liveable and attractive urban environments as expressed in the NGMF.

A total of six areas, including Lincolnshire Farm were identified for possible re-zoning. All except the Reedy Block above Glenside had been shown in the NGMF as future growth areas.

To achieve the objectives of the new zoning it was recommended that structure plans be the key implementation tool. Structure plans in the form of maps and explanatory text provide the framework to guide future development by defining the future development and land use patterns, areas of open space, the layout of infrastructure (including transportation links), and other key features for managing the effects of development.

It was also proposed to improve the quality of subdivision development by updating and improving the Subdivision Design Guide in the District Plan and the Code of Practice for Land Development. The Code of Practice for Land Development is a key policy document, the responsibility of the Infrastructure Directorate.

#### *Relationship with Proposed District Plan Change 36*

It was also noted in the 8 December report that District Plan Change 36 (DPC 36) had been notified in June 2005 to incorporate references in the Rural and Residential Area policies to the NGMF. This was an interim measure to ensure that the aims of the NGMF would be considered in respect of any subdivision initiated before more comprehensive Urban Development zoning provisions could be introduced.

Through the submission process the DPC 36 was generally supported. A hearing was held on 5 October 2005 but the decision on the Plan Change has still not been released. It has been held pending clarification of two matters.

The first concerns the coverage of the proposed Urban Development zoning. If proposed DPC 45 was to cover all rural areas identified for urban growth then consideration could have been given to withdrawing that part of DPC 36 relevant to the rural zone. However, as commented in 5.2 above it is recommended at this stage that rezoning only apply to the Lincolnshire Farm area and adjacent land on the east side of the motorway. It is therefore necessary to maintain the DPC 36 provisions should a separate application be made for the subdivision on other rural land. It is considered that the risk of this is low but the retention of DPC36 would ensure that the aims and objectives could be referenced in the assessment process.

Secondly, it has been discovered that a number of wording changes in the decision on DPC 36 were made in respect of amended wording introduced as part of DPC 33. As DPC 36 did not seek to vary DPC33 the legal advice is that it will be necessary to have the original decision withdrawn and a new decision made that excludes the changes to the DPC 33 text. This matter will therefore be reported to Council for correction so that the DPC 36 decision can be released.

#### *Report on Consultation*

In response to the 8 December recommendations a comprehensive consultation process was undertaken that focused primarily on the development of a structure plan for Lincolnshire Farm and adjacent areas. Full details of the consultation are included in the Section 32 Report and associated Lincolnshire Farm Background Report (Sections 5 and 6) attached as the Section 32 part of Appendix 1 to this report.

A total of 128 submissions were received on the draft structure plan as a result of the consultation process. Generally, the submissions tended to support the development of

the area and of the key principles and elements of the structure plan with a wide variety of issues and concerns raised in relation to specific elements or matters requiring further consideration. In addition there were a small number of submitters who consistently opposed the proposals. An average of 8 disagreed and an average of 13 strongly disagreed with the propositions. Below is a summary of the main views expressed:

- Over half expressed opinions about the various road connections in the area. A large variety of roading related issues were raised, with the most prominent being the SH1-2 link road, which was discussed both in general terms, and in terms of its impact on Horokiwi specifically.
- Residential lot sizes and housing quality were the main issues raised in relation to the planned residential areas.
- The importance of preserving segments and aspects of the rural environment was highlighted. This was for both ecological benefits and variety of recreational opportunities.
- The need for well planned and coordinated community facilities was emphasised, particularly due to the lack of, or pressure on, existing facilities in surrounding suburbs.
- The capacity of existing infrastructure to cope with the new development, and the planning and staging of new infrastructure, was a common concern.
- Public transport planning was also a significant area of interest. The need for consideration of non motorised modes of transport was also raised.
- Most references to the employment area were concerned with quality control, and mitigation of social and environmental impacts.
- Many Horokiwi residents supported the idea of a 'buffer zone' of vegetation between their area, and the new development. They were also concerned with the retention of their unique community identity.
- Many submitters (mostly organisations) expressed the desire for continued involvement with the consultation process. Some submitters were concerned that they had not been adequately consulted.
- Discussion of the planning process generally focused on challenges that may be faced in the implementation and enforcement of the structure plan.
- Other issues raised included the contaminated site in Horokiwi, formerly "Cottle's Tip", the purpose and future of the clean fill area, and use of the name 'Lincolnshire Farm'.

The structure plan was developed in light of the comments made and a number of measures undertaken to address particular concerns. A full summary of consultation, including comments made and response to these is contained in Appendix E of the Background report to the structure plan. This included the following matters:

- Clarification regarding potential future public transport routes and catchment
- Buffering adjacent to the existing Horokiwi community – this includes a mixture of Reserve and Rural Residential areas
- Connecting Mark Ave as part of the first stage of development
- Restricting access through to Horokiwi Road if the state highway link road is not completed
- Specific stage requirements to ensure that the development is comprehensively developed

In light of the extensive consultation that has been undertaken for the entire Northern Growth Management Framework exercise from 2001 onwards, including the more recent consultation for the Lincolnshire Farm structure plan it is considered that this adequately fulfils the Council's responsibilities under the RMA.

The remainder of this report discusses the content of the plan change proposals.

## **5. Discussion**

### **5.1 The District Plan Change 'Package'**

The proposed District Plan measures to implement the NGMF comprise two plan changes and one variation.

#### *1. Proposed District Plan Change 45*

Proposed District Plan Change 45 provides for the rezoning of land, the inclusion of objectives, policies and rules for regulating or managing new urban development and structure plans to provide the framework for the assessment of development proposals.

This plan change introduces the first structure plan, which covers the Lincolnshire Farm Area. The structure plan is included as Appendix 1. As shown on the maps of the structure plan, this proposes the staged development of that the site (over approximately a 10-15+ year period) will include:

- New road connections, as well as recreation and ecological links and protection
- A business area with local employment opportunities of around 45 hectares in size
- 800-900 new households in a variety of densities and styles
- A 4-lane link road from State Highway 1 between Tawa and Grenada interchange connecting to State Highway 2 between the Petone and Dowse interchanges in the Hutt Valley

#### *2. Proposed District Plan Change 46*

Proposed District Change 46 provides for the review of the Subdivision Design Guide. This design guide will be used in association with structure plans to assess development proposals under DPC 45 but will also be applied to land development applications outside the northern suburbs. For this reason it has been kept as a separate change to avoid entanglement with DPC 45 should Environment Court appeals arise at some future stage.

In addition to the DPC 46, work is also proceeding on the review of the Code of Practice for Land Development. This is a policy document providing technical guidance on land development matters that is referenced in the District Plan but is administered separately.

### *3. Proposed Variation 2*

Proposed Variation 2 covers various consequential amendments or deletions to Proposed District Plan Change 33 (Ridgelines and Hilltops (Visual Amenity) and Rural Area) (DPC 33) that are necessary to provide for the introduction of DPC 45. Proposed DPC 33 introduced new ridgeline and hilltop management measures and reviewed many of the rural provisions, particularly those relating to subdivision and the erection of new houses in the landscape. DPC 33 was notified in May 2004 but remains subject to Environment Court appeals that have not yet been settled. As a consequence any amendments to DPC 33 must therefore be made as a variation to this plan change (a variation is the technical term for a change undertaken before the District Plan or any change to the District Plan becomes operative).

As required under section 32 of the Resource Management Act 1991 before a District Plan change or variation is publicly notified the Council is required to carry out an evaluation of the proposals and prepare a report. Section 32 reports for DPC 45, DPC 46 and Variation 2 have been prepared and included within the appendices attached to this report. The reports are recommended for adoption.

The content and issues relating to each of the plan changes and Variation 2 are now outlined more fully below.

#### **5.2 Proposed District Plan Change 45 (see Appendix 1)**

##### *Rezoning*

The rezoning map (Appendix 1 – Map A) identifies the land that is proposed to be rezoned from Rural to Urban Development Area. The proposed new zoning will provide certainty to land owners that their land can be developed for urban purposes and is the area to which the new objectives, policies and rules (including structure plans) will apply.

At this stage it is proposed that only the land to the east of the motorway, generally centred on Lincolnshire Farm be rezoned Urban Development Area. In the 8 December report several additional areas were identified for possible rezoning including Upper Stebbings Valley and the block above Glenside owned by the Reedy family. On reflection, it is considered that only the Lincolnshire Farm and some adjacent land be rezoned at this stage. This land is subject to the most immediate development pressures and it is appropriate that a new District Plan framework be put in place as quickly as possible. Other areas will be kept under review and can be included within the Urban Development Area at a future time.

The development of the Upper Stebbings land is some years away and will follow the subdivision of the Lower Stebbings area that is already committed for development under the existing residential zoning. There is no urgency with regard to the Upper Stebbings Valley land.

The Reedy block has also not been included for rezoning at this stage as negotiations are continuing on various development issues relating to this land including possible connections with the development on the east side of the Lower Stebbings Valley. As it

might also be appropriate to include other land owners in the development of this area so it is desirable that further consideration be given to defining the boundary of any new Urban Development Area zoning in this locality.

As shown on Map A, there are four areas of non-rural land proposed to be rezoned Urban Development Area.

Two areas of existing residentially zoned land are included, one at the end of Mark Avenue and the other in the Woodridge Estate. It is believed important that these areas be rezoned to ensure that future development is in accordance with the structure plan for the area and successfully integrated with adjacent development.

Similarly, the existing area of suburban centre zoning between the motorway and the road to the former Northern Landfill is also proposed to be rezoned. This is to provide for the better planning and integration of an expanded employment centre in this locality. The inclusion of this area within the structure plan will necessitate the deletion of the existing special Appendix 7 provisions applying to the land under the Suburban Centre rules (see Appendix 1 - Map B).

A small area of Open Space B land at the north end of the structure plan area is also included within the Urban Development zone. There appears to be no record of precisely why this area was originally zoned for open space purposes but may have been seen as a desirable adjunct to the adjacent reserve. This land still forms part of the Lincolnshire Farm holding and the Council has not sought ownership.

#### *Objective, Policies and Rules (including Structure Plans)*

New Chapters 27 and 28 are proposed to be introduced into Volume 1 of the District Plan detailing the key objective for the Urban Development Area and the related policies and rules.

The Objective for the zone is:

*To provide for sustainable urban growth in the northern suburbs of the city consistent with the vision, objectives, themes and values of the Northern Growth Management Framework.*

This is supported by a range of specific policies designed to facilitate quality urban development in accordance with approved structure plans. The proposed plan change includes only one structure plan at this stage for the Lincolnshire Farm area. It is intended that over time further structure plans would be introduced.

The proposed rules fall into three distinct parts. The first are those dealing with existing rural uses. Rules that permit the continuation of existing rural uses have been included and are considered necessary because much of the land proposed for urban development is currently being farmed. It is appropriate that farming and related activities be allowed to continue until such time as urban subdivision is commenced.

All other uses or activities including subdivision and associated earthworks, residential, commercial, rural/residential and cleanfills have been included as a Discretionary



Activity (Restricted) with a presumption for the non-notification of applications. The discretionary consent process will ensure that the subdivision and development of land proceeds in accordance with an approved structure plan.

The proposal to include a presumption for the non-notification of resource consent applications has been made on the basis that third party input in respect of new 'greenfield' development should be limited primarily to the initial rezoning phase when structure plans are introduced. Structure plans establish the framework to guide future development and it is important that third parties have the opportunity to be involved at this point. Once the framework has been adopted it is proposed that the assessment of subsequent development applications be determined between the owner/developer and the Council. This approach is similar to that taken for the introduction and implementation of design guides under the District Plan. All design guides have been subject to public input when introduced but subsequent applications under the rules exclude third party involvement.

Structure plans provide the third and vital component of the proposed rule regime. They are appended to the rules and provide the criteria for the assessment of resource consent applications. As illustrated by the proposed Lincolnshire Farm Structure Plan (included in Appendix 1 attached) the structure plan establishes the overall framework to guide future subdivision and land development in a co-ordinated and integrated way.

It is intended that the Urban Development Area provisions will apply on an 'interim' basis until the land is subdivided and development under the rules has commenced. At that time it is proposed that land will be given one of the established District Plan zonings. This will enable more development to proceed on a permitted basis without the need for resource consent. However, to ensure that the objectives and requirements of structure plans continue to be applied, further District Plan changes may be required to amend existing zonings to address the following:

- The planning and design of development and the limitation of inappropriate uses in employment and neighbourhood centres. This is a matter that will be addressed through the review of the Suburban Centre provisions to be initiated in 2007.
- The adoption of minimum density requirements to provide for more intensive housing close to employment or neighbourhood centres. This will require additional provisions in the existing Residential (Outer) rules. The investigation of this issue could conveniently be integrated with the residential infill project that is currently underway.

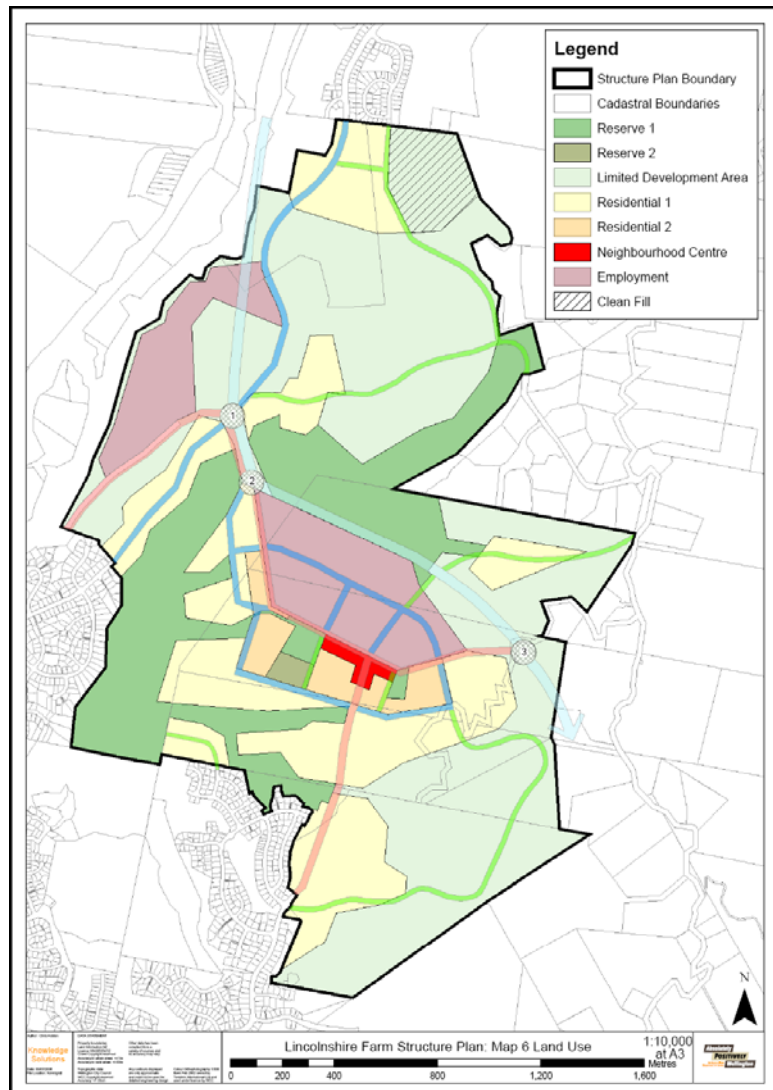
#### *Structure plan for Lincolnshire Farm*

The structure plan provides detailed analysis and guidance for the future development of the area generally referred to as Lincolnshire Farm. As noted above, the structure plan proposes that the staged development of the site (over approximately a 10-15+ year period) will include:

- New road connections, as well as recreation and ecological links and protection
- A business area with local employment opportunities of around 45 hectares in size
- 800-900 new households in a variety of densities and styles

- A 4-lane link road from State Highway 1 between Tawa and Grenada interchange connecting to State Highway 2 between the Petone and Dowse interchanges in the Hutt Valley

The key aspects of the Lincolnshire Farm plan are illustrated below:



The structure plan has been developed through a process of review, analysis and consultation with stakeholders. This has focused on:

- The vision and guidance for the site provided by the NGMF
- The strategic context of the development opportunities of the site in relation to the emerging Wellington Regional Strategy, the Urban Development Strategy and the Western Corridor Transport Study
- The site specific characteristics, opportunities and constraints
- Public consultation on the draft principles of the structure plan during May 2006

The structure plan is based upon four key principles with detailed guidance to ensure that these are achieved and that the land is developed in an integrated and sustainable manner in accordance with the vision of the NGMF. The key principles are:

- Quality of development
- Mixture of uses
- Phasing of development and implementation of infrastructure
- Connectivity

The detailed guidance then provides detail of how each of land should be developed, including urban design, land use, connectivity, movement, infrastructure and staging.

Due to the uncertainty relating to the development of the link road between Grenada and the Hutt Valley, the structure plan has been designed so that development can proceed independently of this road being constructed. This also controls through access onto Horokiwi Road to avoid traffic issues on this road and its substandard connection to State Highway 2.

### **5.3 Proposed District Plan Change 46 (see Appendix 2)**

#### *Subdivision Design Guide*

Proposed District Plan Change 46 introduces a redrafted Subdivision Design Guide to bring the guide into line with more recent thinking on subdivision design and development. The existing guide was prepared in the early 1990's and included in the District Plan when the Plan was first notified in 1994. It has been evident for some time that this design guide has not been as effective as originally intended and the updating of the document will enhance its relevance in the subdivision assessment process.

Under the proposed new regime where the development of rural land for urban purposes will be guided in the first instance by structure plans it is intended that the Subdivision Design Guide will play an important role in the assessment of subdivisions at the local or neighbourhood level. As outlined in the introductory sections of the guide the intention is to:

*'...promote high quality living environments including the public settings and facilities which allow a sense of community to develop. It will advance implementation of low-impact, environmentally sustainable design, maintaining valued landscapes and natural features. It also aims to provide for walking and cycling and convenient access to local facilities.'*

#### *Code of Practice for Land Development*

As noted in the report last December, work is also proceeding on the review of the Council's Code of Practice for Land Development. This is a policy document that sits outside the District Plan and provides technical guidance for the design and development of works in the public domain including subdivisions involving the provision of infrastructure that will eventually be vested in the Council. A District Plan change is not required to update or amend the document, and the review of the Code is proceeding in stages.

The first stage has involved the production of an electronic version of the Code with some technical amendments. The next stage is to reformat the document with a focus on

establishing what has been described as a 'library of acceptable design solutions' for land development. The concern has been that the Code tends to entrench traditional development techniques and does not encourage the adoption of sustainable urban development practices, particularly in respect of stormwater management, road layout and design and sediment control.

For example, the current minimum road width specifications may not adequately balance traffic movement with urban design considerations, gradient limitations may be encouraging excessive earthworks, and there is minimal discussion and illustration of environmentally friendly stormwater options like swales, retention ponds, and greater use of permeable surfaces.

Key urban sustainability issues such as these will be addressed by March 2007 as part of the second phase of the Code review.

#### **5.4 Proposed Variation 2 (see Appendix 3)**

The proposed introduction of DPC 45 has identified the need to make various consequential amendments to the existing rural area provisions of the District Plan and the rural area provisions as amended by proposed District Plan Change 33. DPC 33 introduced new provisions for the management of development of ridgelines and hilltops, rural subdivisions and the erection of houses in the landscape.

There are three aspects of DPC 33 requiring amendment. These are:

- The policy provision relating to the establishment of a road connection between Mark Avenue and Jamaica Drive with a link to the Grenada Interchange.
- The provisions relating to the subdivision of land in the Woodridge Estate between Ladbrooke Drive and Horokiwi illustrated in Appendix 3 to the Rural Rules. (Note: This is the land subject to an Environment Court Consent Order dated 18/10/99).
- The realignment of a section of the boundary between the Horokiwi Area and Lincolnshire Farms included as Appendix 9 to the Rural Rules. Appendix 9 illustrates the area to which the subdivision rules for Horokiwi apply, (Rule 15.4.5).

#### *The Road Connection between Mark Avenue and Jamaica Drive and the Link to the Grenada Interchange*

When the proposed District Plan was notified in 1994 a policy statement was included in the Rural Chapter relating to the desirability of creating a number of roading connections in the city including a connection between Mark Avenue and Jamaica Drive. This was illustrated by pecked lines on District Plan Maps 26 and 27. At this time a policy approach was taken because the Council did not wish to designate the road connections as public works. In the case of The Mark Ave/Jamaica Dr/Granada Interchange link it was envisaged that construction would be undertaken as the subdivision and urbanisation of the surrounding land progressed.

When the Rural Chapter of the District Plan was reviewed in 2004 as DPC 33 the above policy provisions were carried over into the new Rural Chapter.

As the proposed structure plan for Lincolnshire Farm under DPC 45 now addresses the intended roading connections in the area it is no longer necessary to retain a separate policy provision in the Rural Chapter of the Plan. It is therefore recommended that the reference to the Mark Ave/Jamaica Dr/ Grenada Interchange connection be deleted.

#### *The Woodridge Estate Land*

The special provisions that apply to the Woodridge Estate arose from the settlement of an Environmental Court appeal from the owners, Woodridge Estate Limited in 1999. The settlement recognised that the land is suitable for rural/residential subdivision subject to the application of controls relating to the permitted number of household units, lot size, subdivision and the visual effects of building development and earthworks. These special provisions were also carried over into DPC 33 when this change was notified in May 2004.

The recent work on the preparation of a Structure Plan for Lincolnshire Farms includes the as yet undeveloped portions of the adjacent Woodridge Estate land within the Structure Plan area. The Structure Plan still envisages that the subject land be developed for rural/residential purposes.

It is noted that a resource consent for the subdivision of the land under the existing provisions was granted several years ago and expires in 2009. Any new proposal would require assessment under the proposed new Structure Plan. To avoid dual District Plan rules applying for the assessment of any future applications it is recommended that the existing Appendix 3 provisions in the Rural Chapter be deleted.

#### *The Horokiwi Area Boundary*

One of the primary aims of DPC 33 was the introduction of new rules for the control of subdivision in rural areas. It was proposed that the 'blanket' area-wide rules that applied be replaced by rules tailored for different localities.

After an extensive community planning consultative process and consultation for proposed DPC 33 it was determined that the Horokiwi area should retain restrictive subdivision rules to assist in maintaining the existing rural character of this area. The specific control provisions were set out in Rule 15.4.5.

In a submission to DPC 33 it was identified that although rule 15.4.5 was to be subject to more stringent requirements, the boundary of the Horokiwi area had not be defined to clarify the operation of the rule. The Council subsequently agreed that a new Appendix 9 be included in the rule showing the boundary of the Horokiwi Area. A map was included in the decision report that replicated the boundary of the Horokiwi Area in the Horokiwi Community Plan.

It has since been revealed that the Community Plan boundary includes extensive areas of the adjacent Lincolnshire Farms which have been ear-marked for future urban

growth. For land use planning, rather than for community planning reasons it is considered that the boundary defining the application of Rule 15.4.5 should not include land that is integral to the future expansion of urban growth in the northern suburbs. Accordingly it is recommended that the boundary be realigned as shown on Map A in Appendix 3.

## **5.5 Notification Timetable**

Following the adoption of the recommendations in this report the proposed District Plan Changes and Variation would be publicly notified and open for submissions. Public notification would occur in mid September. Under the RMA a minimum of 20 working days is required for submissions but in this case, given the significance of the proposals, it is considered a longer period be provided. A minimum of 40 working days is recommended. This would take the closing date for submissions to about mid November.

A mid November closing date would enable the required summary of submissions to be completed and notified before Christmas. The summary of submissions provides the basis for the further submission period that must also run for a minimum of 20 working days. It is not usual for this time period to be extended. As the public notification for further submissions would coincide with the holiday season the closing date would finish around the end of February 2007.

Following this a hearing would be scheduled that is likely to be held in late March or April 2007. After the Council's decision is released parties have 30 days to consider appeals to the Environment Court.

## **6. Conclusion**

This report introduces all of the measures necessary to promote the implementation of the NGMF through the District Plan. DPC 45 covers the rezoning of land, the objective, policies and rules including a structure plan for the Lincolnshire Farm area. DPC 46 covers the review of the Subdivision Design Guide. Various consequential amendments to DPC 33 arising from the introduction of DPC45 are addressed in proposed Variation 2. Following the public notification of the proposals the statutory processes under the RMA will apply. The main submission and further submission periods will be followed by a hearing that is likely to be held around April 2007. A decision would be released soon after.

Contact Officer: *Brett McKay – Manager, Planning Policy*

<p><b>1) Strategic Fit / Strategic Outcome</b></p> <p>The Proposed Plan Changes and Variation are key elements for the implementation of the Urban Development Strategy and the Northern Growth Management Framework, and support all the outcomes and goals set out in those documents.</p>
<p><b>2) LTCCP/Annual Plan reference and long term financial impact</b></p> <p>Project C533 – District Plan</p>
<p><b>3) Treaty of Waitangi considerations</b></p> <p>All District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).</p>
<p><b>4) Decision-Making</b></p> <p>The proposals to change the District Plan are in accordance with Council policy expressed in the Northern Growth Management Framework and the Urban Development, Environment and Transport Strategies.</p>
<p><b>5) Consultation</b></p> <p><b>a) General Consultation</b> Extensive consultation has been undertaken with a wide range of stakeholders (refer to the section 32 Reports in Appendices 1, 2 and 3).</p> <p><b>b) Consultation with Maori</b> Consultation has been undertaken with Nga Runanga O Ngati Toa and the Wellington Tenth Trust</p>
<p><b>6) Legal Implications</b></p> <p>The Council’s legal advisers have reviewed the proposed plan changes and variation..</p>
<p><b>7) Consistency with existing policy</b></p> <p>The proposals are in accordance with Council policy expressed in the Northern Growth Management Framework and the Urban Development, Environment and Transport Strategies.</p>