

**SECTION 32 REPORT
PROPOSED DISTRICT PLAN
CHANGE 45**

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PROPOSED DISTRICT PLAN CHANGE 45 URBAN DEVELOPMENT AREA AND STRUCTURE PLANS

Introduction

Before a proposed District Plan change is publicly notified the Council is required under section 32 of the Resource Management Act 1991 (the Act) to carry out an evaluation of the proposed change and prepare a report. As prescribed in section 32 of the Act:

An evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

An evaluation must also take into account:

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.

A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed change is publicly notified.

Background

The land between Johnsonville and Tawa forms part of the natural land corridor that provides one of the two main access routes to and from the city. The recent history of the area has been one of progressive urbanisation. Pastoral farming has continued to decline and has been replaced, in the main, by suburban residential development.

The urbanisation of the area was first planned by the former Hutt County administration in the 1960's and has continued in various forms since this time. Following the incorporation of the area into Wellington City in April 1973 a detailed study of the area was initiated. The Churton-Bridgetown-Grenada Development

Report that resulted was adopted by the Council in November 1976. This provided the basis for the planning of the area for the next two decades or more.

The introduction of the Resource Management Act in 1991 and the preparation of the new District Plan under this Act signalled changes in the approach to planning and land development in the area. The management of urban development on the edge of the city was identified as a significant resource management issue for the city and an initial step was taken through the adoption of the Subdivision Design Guide to achieve development consistent with the aim of promoting a more sustainable urban form.

To further advance the planning of the area Council decided in 2000/01 to undertake a comprehensive planning review of the northern suburbs of the city. The purpose of the review was to create a growth management plan for the northern suburbs with the following objectives:

- *To consolidate the northern part of Wellington City into a highly attractive, efficient and accessible urban area that realises its potential of contributing to the city as a whole.*
- *To enhance, protect and link significant landscape, ecological and natural features of the area as a foundation for sustainable urban living.*

After an intensive consultative process the Northern Growth Management Framework (NGMF) was adopted by the Council in October 2003.

The NGMF is predicated on a growth of 9000 people over the next 20 years and is based on the premise of building on existing communities, which is the key growth strategy. The proposed growth is intended to be accommodated in three main areas: Stebbings Valley to the north of the existing Churton Park subdivision; the Lincolnshire farm block between the motorway and the Horokiwi rural area; and land around the lower Takapu Valley.

Planning for the urbanisation of these development areas involves a wide range of initiatives to be applied progressively. The actions for the ten years from 2003 are detailed in the Implementation Plan that accompanies the NGMF.

The key contribution of the District Plan to the wider planning process is to provide an appropriate regulatory framework for the assessment of future land development proposals. In this respect the Council has decided that the first requirement is to establish a zoning that will provide certainty to the landowners, developers and adjacent communities regarding the future use of the land for various urban purposes.

District Plan Change 45 (DPC 45) has therefore been proposed to rezone existing rural land in the northern suburbs for urban development purposes and to introduce structure plans to provide the framework for the assessment of future land development proposals.

Consultation

An extensive consultative process was undertaken in the northern suburbs from 2001 onwards that has culminated in the introduction of DPC 45. The consultation was in two broad phases. The first from 2001-2003 led to the adoption of the Northern Growth Management Framework in October 2003. The detail of this process is outlined in Section 5 of the attached Lincolnshire Farm Background Report.

Lincolnshire Farm Structure Plan Consultation

The second extensive phase of consultation was undertaken for the development of the Lincolnshire Farm Structure Plan during the first half of 2006. The detail of this consultation process is also outlined in the attached Lincolnshire Farm Background Report.

Statutory Consultation

In addition to the above, specific consultation was undertaken with statutory agencies as required under Clause 3 of Schedule 1 of the Resource Management Act 1991 (RMA). This involved:

- The Minister for the Environment
- Nga Runanga O Ngati Toa
- The Wellington Tenth Trust
- Greater Wellington Regional Council
- Porirua City Council
- Hutt City Council

Key Documents

The following documents are the primary sources for proposed DPC 45:

- Churton/Bridgetown/Grenada Development Report – WCC November 1976
- Wellington City District Scheme – Operative 4 September 1985
- Wellington City District Plan – Operative 27 July 2000
- Proposed District Plan Change 33 (Ridgeline and Hilltops (Visual Amenity) and Rural Area)
- Community Planning Week Outcomes 18-22 March 2002
- Northern Growth Management Framework – October 2003
- Northern Growth Management Framework Implementation Programme – 2003
- Lincolnshire Farm Structure Plan
- Urban Development Strategy

Appropriateness of the objective to achieve the purpose of the Act

The proposed zoning provisions under DPC 45 that provides for new urban development in the northern suburbs of the city includes the following objective:

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.

As required under section 32 of the RMA it is necessary to consider the extent to which this objective is the most appropriate way to achieve the purpose of the Act.

Purpose of the Act

The purpose of the Resource Management Act 1991 is described in section 5 of the Act. It is to promote the sustainable management of natural and physical resources.

Sustainable management includes managing the use, development and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural well being and their health and safety while avoiding, remedying or mitigating adverse effects on the environment.

Matters of national importance and other matters

Section 6 lists matters of national importance that are to be recognised and provided for in achieving sections 5. The section 6 provisions of relevance for considering urban development area provisions are:

- The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna
- The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers
- The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
- The protection of historic heritage from inappropriate subdivision, use and development

Section 7 includes additional matters that particular regard must be given to. Of relevance are:

- the efficient use and development of natural and physical resources
- the efficiency of the end use of energy
- the maintenance and enhancement of amenity values

- the intrinsic values of ecosystems
- the maintenance and enhancement of the quality of the environment
- any finite characteristics of natural and physical resources

Appropriateness

The Operative District Plan identifies the management of urban development on the edge of the city as a significant resource management issue for Wellington. As noted the plan works towards the general containment of city expansion and the intensification of development within the existing urban boundaries. This is to encourage the better utilisation of existing infrastructure and transport systems and to save energy. This is seen as being consistent with the requirement to promote the sustainable management of natural and physical resources.

More particularly the notion of containment has been expanded upon in the Rural Area objectives and policies under District Plan Change 33. The explanation to Policy 14.2.1.1, relating to the encouragement of new urban development within the established urban area states:

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 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.

In broad terms therefore the Council is providing for new urban growth to promote the ongoing development of the city but within the bounds of the corridor between Johnsonville/Newlands and Tawa. This area is well connected to existing transport routes and infrastructure, and contained development in this locality is considered to

be fully consistent with the sustainable management purpose of the RMA under Part 2 of the Act.

Within the above context the Council has also been concerned to ensure that new urban development undertaken within the northern growth corridor is of a high standard and that particular regard is given to the requirements of sections 5 and 6 of Part 2 of the Act.

For many years the Council has endeavoured to improve the quality of subdivision development through a variety of means but with mixed results. The introduction of the Subdivision Design Guide in 1994 under the Proposed District Plan was an initial first step but this design guide was never fully implemented as originally intended.

A more proactive initiative was undertaken in 2001 when the Council decided to respond to the future urban expansion in the northern suburbs of the city by joining landowners, developers and communities in a major planning exercise. It was agreed that a Northern Growth Management Plan be prepared that had the following objectives:

- *To enhance, protect and link the significant landscapes, ecological and natural features of the area as a foundation for sustainable urban living.*
- *To consolidate the northern part of Wellington City into a highly attractive, efficient and accessible urban area that realises its strategic potential as a central location within the region.*

These objectives were to be achieved through the analysis of four specific themes - urban growth, green open space, transport, and community facilities.

After two years of detailed planning and consultation the Northern Growth Management Framework was adopted by the Council in October 2003. The development of this framework took full account of the requirements of Part 2 of the Act and the proposals acknowledged key Part 2 provisions.

Subsequently the Council considered the adoption of District Plan measures to assist the implementation of the Framework. At a meeting on 8 December 2005 it was decided to proceed with the rezoning of land in the northern area to provide for new urban development and to adopt structure plans as a framework for guiding this development. Since December 2005 work has been undertaken on the preparation of a structure plan for the Lincolnshire Farm area, the first of an anticipated series of structure plans for 'greenfield' land in the northern suburbs. This plan has been developed through a process of review, analysis and consultation on:

- The vision and guidance for the site provided by the NGMF.
- The site specific characteristics, opportunities and constraints.
- The strategic context of the development opportunities for the site.

Throughout this process emphasis was given to all relevant requirements of Part 2 of the Act to promote the development of integrated, liveable, diverse and sustainable communities.

In light of the above it is considered that the objective to provide for sustainable urban growth in the northern suburbs of the city consistent with the values and principles of the Northern Growth Management Framework is an appropriate way to achieve the purpose of the Resource Management Act 1991. The objective is consistent with promoting the overriding aim of promoting the sustainable management of natural and physical resources and achieving subdivisions and site development proposals that fully reflect the detailed requirements of Part 2 of the Act.

Efficiency/Effectiveness – Benefits/Costs of Policies, Rules or other methods

In considering whether, having regard to their efficiency and effectiveness, the proposed Urban Development Area provisions are the most appropriate for achieving the objective under proposed DPC 45 the Council evaluated three main zoning options. These were:

- Option 1. Status quo – retain existing rural zoning.
- Option 2. Application of existing District Plan zonings.
- Option 3. Application of a new Urban Development zone with Structure Plans.

Option 1 - Status Quo - retain existing rural zoning

Explanation

Under Option 1 the exiting rural zoning that applies over most of the land would be retained. The rural zoning was introduced when the proposed District Plan was notified in 1994. At that stage the Council had not undertaken any comprehensive review of its growth strategies although there was a general expectation, from the planning history of the area that urban development would eventually extend over existing rural land. 'Full-time farming had largely ceased and the rural zoning was maintained to enable longstanding pastoral uses to continue.

In the explanation to the rural zone it was acknowledged that future expansion of urban development into the rural area was likely and indicated that this would have to be provided for by way of future changes to the District Plan.

As expressed through the objectives, policies and rules, the intent of the rural zoning is to retain the land as a 'green', non-urban area with a largely un-built character. The rules permit a wide range of rural activities but appropriate non-rural uses may be considered as a discretionary activity.

For a long period, rural subdivision has been a contentious issue and the rural rules work to limit the fragmentation of land. The strict subdivision controls that have applied in rural areas for many years were recently confirmed under Proposed District Plan Change 33 (DPC 33) that was introduced following an extensive rural community planning exercise. DPC 33 has however acknowledged that rural/residential subdivision is appropriate for selected rural land within or adjacent to the existing urban area. In all rural areas under DPC 33 housing developments within the rural area are required to be assessed against the Rural Design Guide that aims to maintain the existing rural character.

Efficiency and Effectiveness

If the existing rural zoning is retained the key question is would this provide an efficient and effective means of providing for the expansion of new urban development in the northern suburbs? It is considered that this would not be the case. New urban development would have to proceed under a resource consent or the District Plan changed to permit non-rural activities.

Under the resource consent option the rural zoning provisions would trigger a non-complying activity status for new urban subdivision proposals. In strict accordance with the requirements of the RMA consents would be difficult to grant. Any consents that might be granted would tend to promote ad hoc urban expansion. This would not be conducive to achieving the aims of the NGMF or the integrated management of development as required under the RMA. The use of the resource consent process for the approval of more major subdivisions and development would also be problematic. It would be extremely difficult to impose and enforce resource consent conditions that could properly address all subdivision and related land development issues.

The alternative option would be to provide for new urban development through rezoning. If this was not undertaken comprehensively by the Council the likely result would be an ongoing series of privately sponsored plan change requests for incremental urban expansion. This would potentially frustrate sound planning and development and compromise the attainment of important resource management objectives.

Benefits and costs

Under Option 1 the key benefits and costs may be summarized as follows:

Benefits

- No District Plan change proposals would be initiated by the Council to rezone rural land so resources could be allocated to other projects.
- Plan changes for rezoning would be requested by private parties and funded privately.

Costs

- Lack of certainty for land owners and developers in converting rural land to

urban use. It is important for long term planning and development that appropriate zonings apply.

- Increased costs and delays in processing private plan changes particularly if the proposals do not reflect the aims of the NGMF.
- Less ability through private plan changes to achieve the outcomes of the NGMF resulting in ad hoc development and potentially the development of less sustainable communities.

Option 2 – Application of existing District Plan zonings

Explanation

Historically new urban growth has been accommodated by applying existing zoning from the District Plan to correspond with proposed subdivision plans for new urban areas.

This has usually occurred in the absence of any substantial strategic planning framework to guide the direction or form of new development.

Development under the former District Scheme was largely provided for in this way and a similar approach was taken for some areas under the Operative District Plan.

This approach has the advantage of applying existing District Plan provisions that enables development to proceed in accordance with the established rules. However, without a strategic context this has resulted in less than optimal development outcomes. Roading dis-connections in new subdivision was one of the primary reasons prompting the initiation of the Northern Growth Planning Study in 2001.

The imposition of land use zonings in advance of subdivision has the disadvantage of zone boundaries being out of alignment with final deposited subdivision plans. This necessitates ongoing tidy-up plan changes to amend zone boundaries.

Efficiency and Effectiveness

While facilitating new development in accordance with established zonings the pre-emptive zoning approach, without strategic guidance provides a less efficient and effective means for achieving the development of well planned and sustainable communities. Subdivisions may be ad hoc and unresponsive to wider planning needs.

The subdivision consent process within a zoning framework that confers permitted development rights, generally promotes a reactive regulatory environment that may limit the opportunities for achieving enhanced planning and resource management outcomes.

On their own, the application of existing District Plan zonings are not sufficiently refined to promote the attainment of the key objectives expressed in the NGMF.

While all land eventually requires an appropriate zoning the predictive zoning approach does lead to inefficiencies as ongoing ‘tidy-up’ plan changes are usually required to align zone boundaries with title boundaries. Before this happens it may be necessary to use resource consent processes to authorise development on land not zoned for the required purpose. Subsequent owners may also be required to seek resource consents for non-permitted works.

Benefits and Costs

Under Option 2 the key benefits and costs may be summarized as follows:

Benefits

- The up-front zoning of land provides certainty to land owners or developers that new urban development can be undertaken subject to required subdivision consents.
- Existing zoning mechanisms employed. Resource consents processed under existing provisions.
- Potentially lower implementation costs resulting from the use of existing zonings and processes.

Costs

- Additional costs and delays in processing applications that are unresponsive to public policy/planning objectives.
- Additional costs of processing final ‘tidy-up’ plan changes to align zone boundaries with title boundaries.
- General community costs – subdivisions that are less than optimal in terms of planning and design leading to less liveable, less attractive and less sustainable developments.

Option 3 – Application of a new Urban Development Zone with Structure Plans

Explanation

Option 3 involves the adoption of a new zoning approach to provide for the expansion of urban development consistent with the aims and objectives of the NGMF.

The proposed Urban Development zoning would signal the Council’s intention of providing for new urban growth and providing for the building of better communities through strengthened provisions promoting good planning and urban design.

Under the zoning a key tool would be the use of Structure Plans. Structure Plans provide the framework for guiding development by defining the future development and land use patterns, areas of open space, the layout and nature of infrastructure

(including transportation links), and other key features for managing the effects of development.

The proposed Urban Development Area zoning would comprise the following:

1. Proposed District Plan Provisions

Areas to be zoned for urban development purposes would be identified on the District Plan maps.

New Chapters (Chapters 27 and 28) would be included in the Plan detailing the objectives, policies and rules for controlling new subdivision and earthworks.

More specifically the policies would seek to ensure that all development is responsive to the physical and ecological context of the area, that a sound public space structure is established, that infrastructure and transport networks are provided in a coordinated and integrated way and that the values and principles of the NGMF are applied.

The rules would permit existing rural uses to continue. However, subdivision and associated earthworks and all land use activities would be a Discretionary Activity (Restricted). All Discretionary Activities (Restricted) would include a presumption for non-notification to limit the assessment of effects to a matter between the Council and the applicant. It is proposed that third party involvement be confined to the Plan change process for the introduction of new zoning provisions.

2. Structure Plans

All subdivision and earthwork applications would be assessed against approved structure plans that would be included in the Plan as an appendix to the Urban Development Area rules.

The background, development and justification for the Lincolnshire Farm Structure Plan (the first to be prepared) has been outlined in the attached report entitled 'Lincolnshire Farm – Background Report to support s32 Analysis.'

3. Subdivision Design Guide

All subdivision and earthwork applications would also be assessed against the Subdivision Design Guide. The existing Subdivision Design Guide has been comprehensively reviewed and is the subject of a separate plan change (Proposed District Plan Change 46).

Efficiency and Effectiveness

The intent of the proposed urban development zoning is to provide for the comprehensive planning of new urban development while permitting reasonable flexibility to achieve innovative subdivision design solutions.

The NGMF has provided the strategic context for the proposed new zoning provisions including Structure Plans. The aim is the creation of a highly attractive, efficient and accessible urban area that works to realise vision of integrated, liveable, diverse and sustainable communities.

The Urban Development Area proposals are comprehensive and tailored to address key issues including:

- the protection and enhancement of important landscapes, ecological and natural features of sites.
- the efficient use and development of natural and physical resources and the efficiency of the end use of energy through the promotion of compact, diverse and connected communities.
- the maintenance and enhancement of amenity values through the promotion and facilitation of good urban design.

The proposed non-notified discretionary consent process, assessing subdivision and land development applications against robust Structure Plans will provide an effective means of implementing the Structure Plan provisions. The adoption of Structure Plans in advance of subdivision ensures that all parties are aware of the Council's land development intentions, thereby facilitating the consent process. Adequate flexibility will also be provided through the resource consent process to enable innovative planning and urban design solutions in accordance with approved Structure Plans.

Benefits and Costs

The benefits of the zoning approach with structure plans under Option 3 can be summarised as follows:

Benefits

- Certainty for owners and developers regarding the development of land for urban purposes.
- Long-term community benefits resulting from addressing planning and relevant resource management issues in advance of subdivision.
- Reasonable flexibility through the application of zone provisions to achieve positive land development and urban design outcomes.
- Potentially speedier resource consent processing and reduced compliance costs.

Costs

- Higher up-front costs in preparing detailed structure plans for the management of new urban development.
- Ongoing costs arising from the need to undertake further plan changes to confirm final zonings.

Efficiency and effectiveness of specific policies and rules

Within the context of the proposed Urban Development zoning (Option 3), a range of specific policies and rules have been included to ensure the attainment of new urban development consistent with approved structure plans.

The proposed policies and rules under the Urban Development zoning would fulfil two key functions.

First, the provisions would enable urban development to proceed with certainty. The primary resource consents for the establishment of new urban development would most likely be for subdivision and associated earthworks followed by consents for various land use activities. The opportunity would therefore exist to commence building development in advance of 'final' zonings being adopted. This would be helpful in facilitating the implementation of development plans.

Secondly, the proposed rule regime would enable proposed structure plans to be implemented in a flexible manner. Structure plans are indicative by nature requiring the ability to tailor specific consent proposals to local conditions. This would be aided by the proposed resource consent approach.

The proposal that all subdivision and related land development be a Discretionary Activity (Restricted) is considered appropriate for two main reasons. The first is that reasonable control would be maintained to achieve the objective of the Urban Development Zone and there would be an ability to reject proposals that did not accord with the District Plan.

Secondly, it is proposed that the Discretionary (Restricted) process include a presumption for the non-notification of resource consent applications. With regard to the development of new urban areas it is considered that the primary third party input should be at the rezoning stage where structure plans are introduced. Structure plans will establish the main framework to guide future development and it is considered important that third parties have the opportunity to be involved at this point. Once the framework has been agreed it is believed that the assessment of subsequent development proposals should be resolved between the owner/developer and the Council. This approach has been taken with the assessment of District Plan design guides. The inclusion of a presumption for the non-notification of Discretionary (Restricted) consent applications will work to facilitate the efficient and effective administration of the plan.

Under the Proposed Urban Development zone the policies and rules provide for five main areas of activity. These are:

- The continuation of existing rural uses.
- The subdivision of land including associated earthworks, the provision of infrastructure and the development of reserves.
- Residential activities including rural/residential development.
- The development and use of neighbourhood and employment centres.
- Cleanfills.

The explanation and evaluation of these provisions are discussed in turn.

Rural Activities

The land proposed to be rezoned Urban Development Area has in the main been zoned Rural and farmed for many years. To provide for the continuation of existing rural uses Policy 27.2 .1.2 has been included that states:

“Allow all permitted rural activities to continue until urban development occurs.”

The rules supporting this policy have been drafted to include all existing Permitted, Controlled and Discretionary (Restricted) activities.

It is considered that carrying over the existing rural provisions provides an effective means of addressing the continuation of longstanding farming uses until replaced by new urban development. This provides a practical response to maintaining land in productive use.

The only addition to the rural provisions has been the inclusion of a condition to prevent the clearance of indigenous vegetation on land intended for future reserves or for rural/residential purposes. This condition has been imposed to ensure that any desirable bush remnants are not lost prior to development.

Subdivision and Associates Earthworks, The provision of infrastructure and the development of reserves in accordance with a structure plan.

The above activities are provided for as a Discretionary Activity (Restricted) to meet Policy 27.2 .1.5 that is designed to:

“Ensure the sound design, development and servicing of subdivisions.”

Under Rule 28.3.2 the elements of discretion that have been identified cover all of the key aspects of subdivision development. Through the implementation of the rule the capability will exist to ensure that land is development appropriately to reflect the visions and values of the NGMF expressed through approved structure plans.

The approach is consistent with the assessment of most subdivisions throughout the city that require either Discretionary (Restricted) or Discretionary (Unrestricted) consent. The regulation of subdivision development through District Plan rules is a

longstanding method of land management that has stood the test of time. In the proposed Urban Development Area the subdivision process has been enhanced by the addition of structure plans that define the anticipated pattern of development and land use and guide the assessment of subdivision consents.

It is considered that discretionary control through structure plans provides an efficient and effective means of managing the complex and detailed subdivisions process to achieve good planning and resource management outcomes.

In addition a standard has been included to require underground fibre optic cable to be provided in new subdivisions. This standard has been included to ensure that the substantial areas of new urban development in the northern suburbs can eventually be linked to modern communication networks. This is considered to be of particular importance for proposed employment centres.

Residential Activities

Proposed new urban areas will be developed primarily for residential purposes. Implicit in the policies promoting well planned and well designed subdivisions through the application of Structure Plans is that they will achieve good living environments.

The policies also promote the establishment of a variety of residential densities and housing types and encourage mixed use development provided non residential uses are properly integrated as part of the overall of new development. More intensive residential development is required close to employment or neighbourhood centres.

The rules providing for residential and related activities as a Discretionary Activity (Restricted) provide the opportunity for residential developments to proceed at the earliest possible stage of the subdivision process. It is intended that residential areas will eventually be zoned for residential purposes but until this occurs it is considered that the discretionary consent process provides the most effective means of facilitating new residential development.

In general, the existing bulk and location standards for housing in Residential (Outer) areas will apply. Single dwelling houses will likely predominate but the provision of more diverse housing forms will be encouraged and will not be precluded under the proposed residential rules. The existing multi-unit design guide is referenced to provide the assessment criteria for alternative housing forms.

In accordance with sound sustainability objectives a rule has also been included requiring more intensive housing close to neighbourhood or employment centres. More liberal height and coverage standards have been set to facilitate higher density development in these areas.

The rules also require a minimum density of 25 households units per hectare of gross land area. Standard residential development provides in the order of 12-13 houses per hectare with lots of approximately 400m² in area. The proposed density of 25 units per hectare would result in lots of some 250m² with buildings of 2-3 storeys in height. This is believed to be a reasonable medium density provision. To date the District

Plan has not included minimum density requirements but the requirement is to ensure that the aims of the structure plan are met and the land is not consumed for standard housing development

Within areas identified for Rural/Residential use the erection of dwellings will also be subject to assessment as a Discretionary Activity (Restricted). No minimum lot size is specified. This is proposed as a means of facilitating innovative approaches to rural/residential subdivision design and not to permit standard residential development.

Neighbourhood and Employment Centres

A key objective in the development of new urban areas is the promotion of more mixed use development. Under the proposed Urban Development Area zoning this is supported by the following policies:

27.2.1.7 Encourage mixed use development but ensure that non residential uses are appropriately integrated as part of the overall design of new developments.

27.2.1.8 Ensure that employment or neighbourhood centres are developed in a coordinated manner and are integrated with and protect the amenities of the surrounding neighbourhood.

27.2.1.9 Ensure that neighbourhood centres are well designed, compact and well connected with a high level of amenity to provide facilities for local people as opposed to destination retailing.

27.2.1.10 Ensure that employment centres are retained primarily for non-retail employment related uses and are well designed, compact and well connected with a high level of amenity.

The proposed rules provide for the establishment of neighbourhood or community centres as an important component of mixed used development, but subject to compliance with the general suburban centre standards and the lodgement of a detailed development plan.

For the Lincolnshire Farm area the suburban centre standards have been modified to require site coverage of 70% and a building height of 15m.

Unlike most existing suburban centres that are intensively developed it is considered that full site coverage would not be appropriate in a 'greenfield' area where there will be the opportunity to design developments with space for ancillary site activities. A 70% site coverage was selected to provide ample scope for building development while ensuring space is retained for parking servicing and other activities.

In the employment and neighbourhood centres an additional 3m of building height has been provided above the existing 12m limit in Suburban Centre zones to provide added incentive for more intensive mixed use development. From an urban design perspective the added height will also enable the centres to establish a 'presence' in

the locality and add to the local 'sense of place'.

To ensure that valuable commercial land is not utilised fully for residential purposes a further standard has also been imposed requiring any residential component to be sited above ground floor level.

The method of assessing the establishment of proposed new centres against development plans was introduced into the District Plan as part of The Environment Court determination in respect of the central area Te Ara Hawkawakawa Precinct in the late 1990's. The application of the development plan approach in the Lincolnshire Farm area under the standards and terms to Rule 28.3.4 would provide an appropriate means of addressing complex site development issues in a comprehensive way.

With regard to the above, the structure plan for Lincolnshire Farms also opposes the establishment of large format retailing activities in either the employment or neighbourhood centres. The aim is to ensure that the Lincolnshire Farm centres do not rival the existing retail centres in the area. Retailing from the neighbourhood centre is intended to serve the future local community, rather than wider district needs.

To this end, the rules provide limitations on the size of retail activities. In employment centres, retailing must be ancillary to other activities on the site and not exceed 500m² gross floor area. In neighbourhood centres, no retail activity shall exceed 500m² gross floor area. These standards are designed to limit large format retail operations without being overly prescriptive as to precise retailing types.

Cleanfills

The nature of land development in new urban areas is such that there is a necessity to provide for the disposal of surplus fill material. Rule 28.3.2 has therefore been included to provide for this as a Discretionary Activity (Restricted).

In view of the wide range of issues to be assessed in determining the appropriateness or otherwise of a cleanfill site the standards and terms under the rule require applications to be supported by a detailed development plan. It is considered that this will provide the most effective way of addressing all the important site development issues in a comprehensive way.

The Risk of Acting or Not Acting

The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the proposed District Plan approach. In this case, it is considered that there is sufficient information available. All issues relating to the urbanisation of land in the northern suburbs have been investigated and explored over a long period of time and thoroughly analysed. The aim is to assist the building of better communities through the use of accepted District Plan methods. As a consequence it is also considered that there is a very low risk of any untoward outcomes resulting from the implementation and application of the proposed provisions.

Conclusion

Apart from rural uses that will be covered by the existing rural rules all activities under the proposed Urban Development zoning have been included as a Discretionary Activity (Restricted) This is to enable subdivision and associated land development to be undertaken (with due assessment) prior to 'final' zonings being imposed.

It is considered that this 'interim' discretionary approach provides the necessary certainty to landowners regarding future urbanisation and public safeguards that the land will be developed in a well planned and sustainable manner. The proposed resource consent process (including a presumption for non-notification) is believed to be the most appropriate way for achieving the objectives of the plan.