

WELLINGTON CITY DISTRICT PLAN

PROPOSED DISTRICT PLAN CHANGE 55 REZONING OF THE FORMER OWHIRO BAY QUARRY SITE

1 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.

This Proposed Plan Change would change the current zoning of the ex Owhiro Bay Quarry (other than two sections, No's 178 and 180 Owhiro Bay Parade which will be rezoned separately under Proposed Plan Change 54), from Rural to Open Space B. Wellington City Council owns the ex Owhiro Bay Quarry site. A Location Plan is provided as Appendix A.

This section 32 report focuses on the appropriateness of the proposal to rezone the site in the Wellington City District Plan.

2. Background

The South Coast is one of Wellington's most popular reserve areas with high ecological, landscape and recreational values. Activities undertaken in the area are

wide ranging, including walking, running, mountain biking, fishing, diving, guided tours and off road vehicle use.

Wellington City Council purchased the Owhiro Bay Quarry (located at the entrance to the South Coast area), from Milburn New Zealand in 2000. The reason for the purchase was to stop quarrying on the South Coast, and to restore open space values and improve public access around the coast. Restoration and re-vegetation of the quarry faces has since been in progress in accordance with the Owhiro Quarry Closure Management Plan 2000.

The majority of the ex Quarry site as it presently exists is a large undeveloped open gravel area (used for informal car parking), with and a building that was utilised in conjunction with the Quarry activity at the eastern end (near the entrance). The final stage of the Quarry Closure Management Plan is the upgrade of the existing car park area to form the gateway to the South Coast. Upgrading the car park is also identified as a special project in the South Coast Management Plan – refer Policy 8.1. A Concept Plan has been prepared for the proposed upgrade and this is attached as Appendix B. Key components of the upgrade include the removal of the majority of the Quarry building; improved traffic circulation and parking; landscaping; and the provision of public toilets, interpretation signage and information, seating and rubbish bins.

The ex Quarry site is zoned Rural with Open Space B zone over the hills to the north, Conservation Zone to the west, and a strip of residential properties running along the northern side of Owhiro Bay Parade to the east. The southern half of the ex Quarry is covered by a Maori Precinct (Rimupara Landscape Feature precinct) which contains a number of significant Maori sites. In addition, a site of significance to Maori within the ex Quarry site is listed in the District Plan (M46 Whare-raureka Kainga). The northern part of the Quarry site is also included within the ridgelines and hilltops overlay introduced through Proposed Plan Change 33 to the Wellington City District Plan. Proposed Plan Change 55 will not alter these notations.

A separate Plan Change (referred to as Proposed Plan Change 54) is proposed to rezone two sections at the eastern edge of the ex Quarry site, these being No's 178 and 180 Owhiro Bay Parade, from Rural to Outer Residential. The Council's intention is to use funds generated by the subsequent sale of these two sections to assist with funding the car park/visitor facility upgrade.

Proposed Plan Changes 54 and 55 will be publicly notified concurrently, as they both relate to the former Quarry site. In addition, a resource consent application will be lodged shortly for the proposed car park/visitor facilities upgrade (as detailed in the plans in Appendix B) within the ex Quarry site.

3. Consultation

Initial consultation on the proposed car park/visitor facility upgrade was held over a period of eight weeks in 2004. The consultation process sought information on visitor interest in the area, and ideas on what should be included in the upgrade. The project was advertised on the Council website, at the site, with local residents associations and by a mail drop to local residents. Approximately 100 submissions were received.

Key stakeholders that made submissions included the Ministry of Fisheries, South Coast Progressive Association, Greater Wellington Regional Council, Wellington Botanical Society, Southern Environmental Association, Department of Conservation, Island Bay Residents Association and Positively Wellington Tourism. The results from the consultation process were used to assist with the preparation of a design brief for the upgrade and the subsequent Concept Plan.

A further round of public consultation was held over a four week period (ending on 2 June 2006). The consultation sought views on a specific Concept Plan for the proposed car parking/visitor facility upgrade; as well as the possible sale of the two sections (that is No's 178 and 180 Owhiro Bay Parade) located within the wider Quarry site (subject to Proposed Plan Change 54). A brochure describing the plans was widely distributed, with an opportunity to provide submissions. The brochure was sent to key stakeholders; copies were made available at the Council service centres, libraries and on the Council website; advertisements were placed in newspapers; and a sign erected in the Owhiro Quarry car park. A public information evening was also held on 23 May 2006. A total of 500 submissions were received on the proposal. While some submissions sought changes to the design, overall the comments on the proposed design for the upgrade were positive.

In recent discussions, both the Wellington Tenth Trust and Te Runanga o Toa Rangitira have indicated that they generally support the zone changes; however, concerns have been expressed regarding the wider upgrade of the car park and the reserve status of the land. These concerns mainly relate to appropriate use of signage and recognition of Iwi association with the area. These issues will be dealt with as part of the resource consent process for the upgrade of the car park/visitor facilities. Parks officers are currently working with Iwi to resolve these issues.

Key Documents

- **South Coast Management Plan, To protect and enhance the coastal character of Wellington's South Coast**, prepared by Wellington City Council October 2002.
- **Owhiro Bay Quarry Closure Management Plan 2000**, prepared by Brian Bouzaid Wellington City Council, draft prepared 14 February 2000.
- **Officers Report to the Strategy and Policy Committee 'Upgrade of the Owhiro Bay Quarry Carpark'**, prepared by Joanna Gillanders – Open Space Planning Team Leader, dated 22 September 2005
- **Officers Report to the Strategy and Policy Committee 'Owhiro Bay Entrance- Reporting on Consultation Process of Possible Disposal of 178 and 180 Owhiro Bay Parade'**, prepared by Derek Fry – Director of Recreation and Events and Joanna Gillanders; Open Space & Recreation Planning Manager, dated 15 June 2006.

- **Wellington South Coast Owhiro Quarry Entrance Plan** prepared by C Gordon, Wellington City Council Owhiro Working Group, dated August 2006.

Key Discussions/Briefings

- **23 May 2006:** Public information evening on the concept for the upgrade of the Owhiro Bay entrance and the possible sale of the two sections.
- **September 2006:** Discussion with the Wellington Tenths Trust in relation to both the proposed re-zoning of the two sections, and the wider rezoning of the Quarry site and the car park upgrade.
- **December 2006:** Discussion with Te Runanga o Toa Rangitira in relation to both the proposed re-zoning of the two sections and the wider rezoning of the Quarry site and the car park upgrade.

Consultation, in accordance with the First Schedule of the RMA 1991

- Ministry for the Environment
- Greater Wellington Regional Council
- Wellington Tenths Trust
- Te Runanga O Toa Rangitira Inc
- Department of Conservation

4. Appropriateness of the Objectives and Proposed Rezoning

Resource Management Act

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use and development of natural and physical resources to enable people to provide for their health and safety. With regard to this Proposed Plan Change, the Act requires in relation to managing the use, development, and protection of natural and physical resources. Council shall recognise and provide for the following matters of national importance (section 6 RMA):

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area)....., and the protection of them from inappropriate subdivision, use and development;*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development;*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers;*

- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

In addition, Council shall have particular regard to the following other matters (section 7 RMA):

- (b) *the efficient use and development of natural and physical resources;*
- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment;*

Coastal Policy Statement

The purpose of the New Zealand Coastal Policy Statement is to state policies to achieve the purpose of the Resource Management Act in relation to the coastal environment. Policies specifically relevant to this proposal area as follows:

Policy 1.1.1

It is a national priority to preserve the natural character of the coastal environment by:

- (a) *encouraging appropriate subdivision, use or development in areas where the natural character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment.*
- (b) *taking into account the potential effects of subdivision, use, or development on values relating to the natural character of the coastal environment, both within and outside the immediate location; and*
- (c) *avoiding cumulative adverse effects of subdivision, use and development in the coastal environment.*

Policy 1.13

It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment:

- (a) *landscapes, seascapes and landforms, including:*
 - (i) *significant representative examples of each landform which provide the variety in each region;*
 - (ii) *visually or scientifically significant geological features; and*
 - (iii) *the collective characteristics which give the coastal environment its natural character including wild and scenic areas;*
- (b) *characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and*
- (c) *significant places or areas of historic or cultural significance.*

Policy 1.1.5

It is a national priority to restore and rehabilitate the natural character of the coastal environment where appropriate.

Policy 2.1.2

Protection of the characteristics of the coastal environment of special value to the tangata whenua should be carried out in accordance with tikanga Maori. Provision should be made to determine, in accordance with tikanga Maori, the means whereby the characteristics are to be protected.

Policy 3.1.1

Use of coast by the public should not be allowed to have significant adverse effects on the coastal environment, amenity values, nor on the safety of the public nor on the enjoyment of the coast by the public.

Policy 3.2.1

Adverse effects of subdivision, use or development in the coastal environment should as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable.

Policy 3.2.4

Provision should be made to ensure that the cumulative effects of activities, collectively, in the coastal environment are not adverse to a significant degree.

Regional Policy Statement

Section 7.4 Policy 1 of the Regional Policy Statement is included to give effect to s.6(a) of the Act and policies for the preservation of the natural character of the coastal environment as set out in the New Zealand Coastal Policy Statement. Clause (2) of Policy 1 is:

Protection of the values associated with nationally or regionally outstanding landscapes, seascapes, geological features, landforms, sand dunes and beach systems and sites of historical or cultural significance, including those listed in tables 9 and 10.

The coastal escarpments and small beaches from Paekakariki to Owhiro Bay are specifically listed as a landscape and seascape of national or regional significance in Table 9 of the Regional Policy Statement.

Wellington City District Plan

Chapter 16 of the District Plan sets out the objectives and policies for the use and development of Wellington's open space areas, and they reflect the matters required to be addressed under the RMA.

As previously, noted the proposal is to rezone the wider ex Quarry site from Rural to Open Space B and to develop the area as the entrance to the South Coast recreational area. Characteristics of the Open Space B zone are outlined in the extract from the District Plan below:

Open Space B land is valued for its natural character and informal open spaces. It involves areas that are used for types of recreation that, in the broadest sense, do not involve buildings or structures. The intention is to keep such areas in an unbuilt or natural state. This type of open space encompasses both formal and informal open space elements. It includes walkways, scenic areas and open grassed areas where buildings are inappropriate. Its characteristics are minimal structures, largely undeveloped areas and open expanses of land....

In relation to this Plan Change the following Objectives and Policies are considered relevant:

Objective 16.5.1 *To maintain, protect and enhance the open spaces of Wellington City.*

Objective 16.5.2 *To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.*

Policy 16.5.2.1 *Identify and protect from development and visual obstruction landforms and landscape elements that are significant in the context of the Wellington landscape, and in particular significant escarpments and coastal cliffs.*

Policy 16.5.2.3 *Encourage retention of existing native vegetation and where appropriate re-introduce native cover.*

Summary

It is not proposed to change any objectives or policies in the District Plan. The current objectives and policies remain relevant and are considered the most appropriate means of achieving the purposes of the Act in relation to the management of effects of activities and development within Open Space Areas.

5. Appropriateness of the Rules and Other Methods.

Appropriateness of Zoning as a Method

Zoning as a method of achieving the objectives and policies of the District Plan has been thoroughly considered through the plan preparation, submission and hearing process when the District Plan was originally notified. It is therefore not considered appropriate to revisit this general method, adopted widely in the District Plan as a key tool, in terms of this section 32 report.

It is noted that 'zoning' was also the primary tool used in the former Wellington City District Plan to secure the 'best' pattern of landuse for the community.

Zoning Options Considered

Having established that zoning is an appropriate method, the various options for zoning of the sections (and the associated rules that would apply as a result) that have been explored throughout the preparation of this Plan Change are discussed below. The zoning options that have been considered are the status quo i.e. retention of the

existing zoning, or rezoning to one of the two adjoining zones (that is, the Open Space B zone or Conservation Site).

OPTION	EVALUATION
<p>Option 1: Status Quo – retain the existing Rural zoning</p> <p>This option is NOT RECOMMENDED</p>	<p>Benefits</p> <ul style="list-style-type: none"> • Avoids the costs to both the Council and the public associated with the Plan Change process. <p>Costs</p> <ul style="list-style-type: none"> • While it is proposed to provide for the proposed car park/visitor facility upgrade through a resource consent application under the Rural zone provisions (that is prior to rezoning of the land); in terms of the long term planning for the site, the existing Rural Area zone does not provide for the construction or upgrade of buildings or structures as a permitted activity. Accordingly, there may be costs, delays and uncertainty as to the outcome, associated with resource consent process for new or upgraded facilities.
<p>Option 2: Zone Conservation Area – consistent with the South Coast recreational area to the west</p> <p>This option is NOT RECOMMENDED</p>	<p>Benefits</p> <ul style="list-style-type: none"> • Provides a high level of protection for indigenous and native species. <p>Costs</p> <ul style="list-style-type: none"> • Costs of the Plan Change process both for the Council and the general public. • While it is proposed to provide for the proposed car park/visitor facility upgrade through a resource consent application under the Rural zone provisions (that is prior to rezoning of the land); in terms of the long term planning for the site the Conservation Area Zone is potentially the most restrictive of all options in terms of the construction or upgrading of buildings or structures. Accordingly, there may be costs, delays and uncertainty as to the outcome, associated with resource consent process for new or upgraded facilities. • The values of the area, which has been a quarry, do not currently warrant the highest level of protection afforded by the Conservation zone.
<p>Option 3: Zone Open Space B – consistent with the land immediately adjacent to the north.</p>	<p>Benefits</p> <ul style="list-style-type: none"> • Provides an appropriate balance of provision for recreational buildings/structures, with the protection of the natural character of the area.

<p>This is the RECOMMENDED Option</p>	<ul style="list-style-type: none"> • Will minimise the likelihood of future resource consents and associated costs being required, as the proposed activity for the site is consistent with the proposed zoning. <p>Costs</p> <ul style="list-style-type: none"> • Costs of the Plan Change process both for the Council and the general public.
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6.0 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 to analyse the issues and to evaluate the benefits and costs of the policies, rules and methods considered. 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 provisions proposed to address the identified issues.

7.0 Conclusion

Each of the options outlined above have advantages and disadvantages. However, on balance it is considered that an Open Space B zoning over the site (Option 3) will be the most efficient and effective means in the long term of providing for the necessary visitor facilities for the South Coast recreational area, while at the same time maintaining and enhancing this part of the coastal environment in accordance with Part 2 of the RMA, the New Zealand Coastal Policy Statement, and the objectives and policies of the District Plan.

8.0 Recommended Proposed Plan Change

It is recommended that the Council notify the following District Plan Change 55:

- Change the zoning of the Owhiro Bay Quarry (other than the area subject to proposed Plan Change 54) from Rural to Open Space B.

APPENDIX A

Location Plan

Location Plan



APPENDIX B

Wellington South Coast Owhiro Bay Entrance Plan





APPENDIX C

Proposed Plan Change 55 - Rezoning of the ex Owhiro Bay quarry site

