

Recommendations of the Proposed District Plan Independent Hearings Panel (IHP)

Briefing 5 for Wellington City Councillors

Natural and Coastal Hazards

Three Waters

Earthworks

Subdivision

Noise

27 February 2024

Scope of this briefing

- Natural hazards
 - Natural hazards chapter
 - Coastal environment chapter – only coastal hazards
 - Natural hazards overlays
- Three waters chapter
- Earthworks chapter
- Subdivision chapter
- Noise chapter
 - Noise overlays



Natural & Coastal Hazards



Directions for natural hazards

Resource Management Act

- Matter of national importance: **manage significant risks** of natural hazards
- Have particular regard to the **effects of climate change**

New Zealand Coastal Policy Statement (on coastal hazards)

- **Set outcomes** to address coastal hazards
- **Identify areas** of coastal hazard risk
- Protect, restore, enhance **natural defences**
- Set matters to assess options to **reduce coastal hazard risk**, including hard engineering structures when appropriate

Greater Wellington Regional Policy Statement

- Directs hazard **mitigation**, structural works, community **resilience**
- **Avoid** development in **high risk** areas
- **Minimise risk** and consequence of natural hazards, including structural and non-structural measures

Plan uses risk-based approach for natural hazards

- Aligns with national non-statutory guidance
- Plan provisions reflect the likelihood, consequence and sensitivity of different activities.
- For example: residential and emergency services have tougher rules than industrial or commercial activities, or a park bench.

Natural hazards managed by the Plan

Natural Hazards

- Flooding (WWL modelling)
- Fault rupture (GNS Science data)
- Liquefaction (GNS Science data)

Coastal Hazards

- Coastal inundation (including storm surge and sea level rise) (NIWA data)
- Tsunami (including sea level rise) (GNS Science data)

Land stability managed by earthworks provisions

ISPP v Standard Planning Process

ISPP (not appealable)	Standard Planning Process (appealable)
All Natural Hazards provisions	
Coastal Environment chapter (hazards provisions): objective, policies and rules generally about buildings and development	Coastal Environment chapter (hazards provisions) <ul style="list-style-type: none">• Introduction• Risk for infrastructure, airport, port, rail
Natural Hazard & Coastal Hazard Overlays	

Overview of submissions and matters in contention

- 62 submitters and 16 submitters spoke at the hearing
- Moderate expert involvement – predominantly planning and legal

Key matters in contention:

- **Earthquakes:** more nuance, based on knowledge of faults, event likelihood and hazard sensitivity
- **Tsunami:** concern with tsunami overlays and provisions, particularly the high hazard scenario
- **Flood:** a more permissive approach to development where building floor levels are high enough
- **City Centre Zone:** impact of PDP hazard approach on the CBD

Key changes recommended by the IHP

Overall directions

- Clearer direction in objectives to:
 - Discourage development in high hazard areas
 - Support development in medium/low hazard areas that has hazard resilience, minimised risk
- More policy support for activities that need to be in hazard risk areas (CBD, Port, Airport)

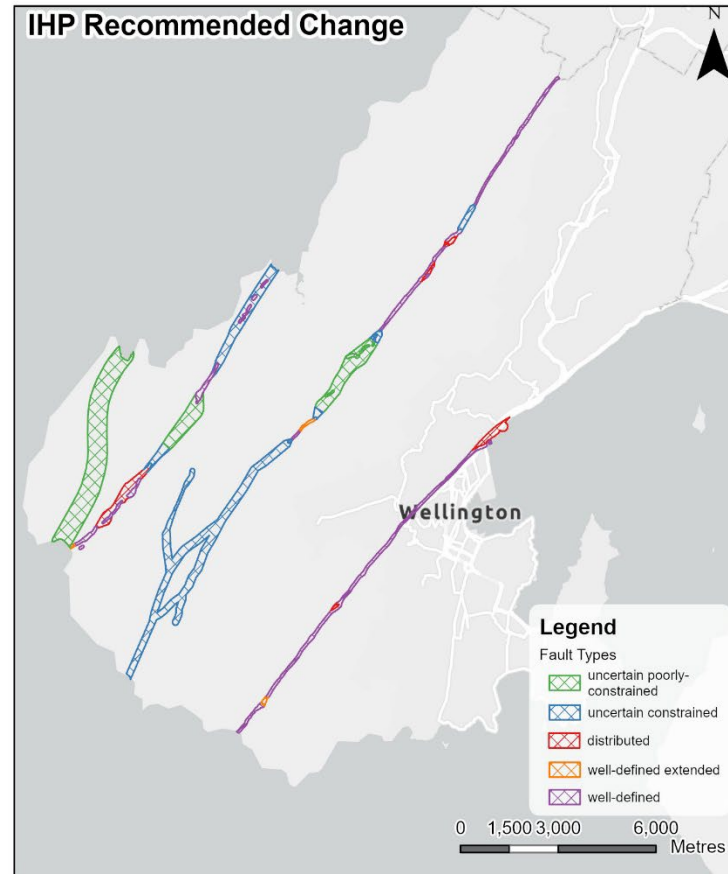
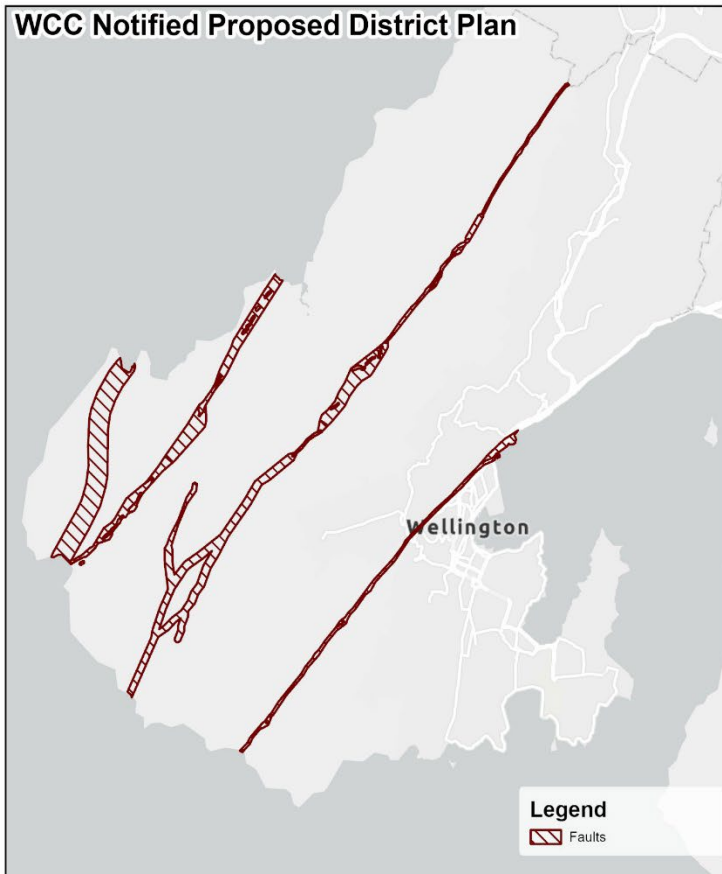
Key changes recommended by the IHP

Fault hazard

- New fault complexity categories
- Different rules for different fault lines to reflect uncertainty:
 - Wellington, Ohariu Faults well defined = tighter rules e.g. only one dwelling on vacant site with resilient building design
 - Terawhiti, Shepherds Gully Faults less defined so slightly more enabling

Key changes recommended by the IHP

Fault hazard



Map 1: Notified and IHP Recommended changes to Fault Hazards

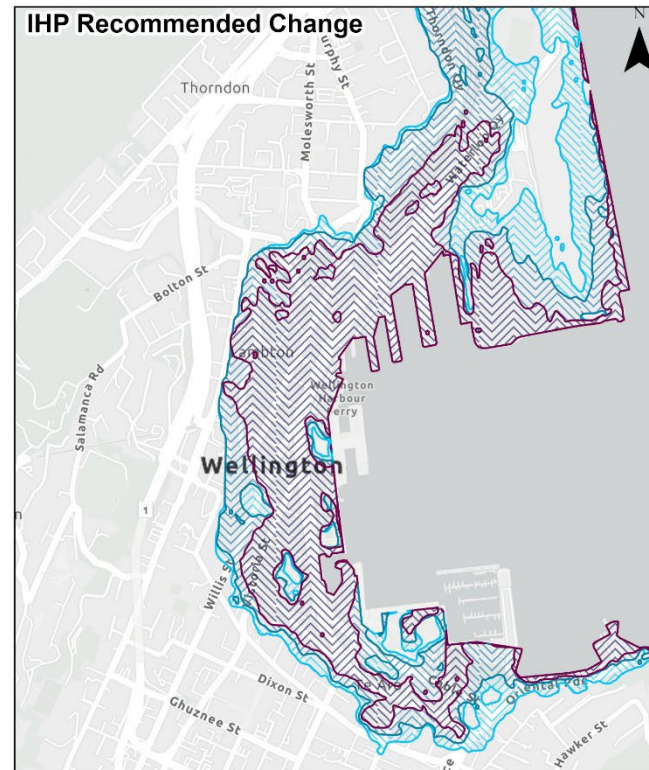
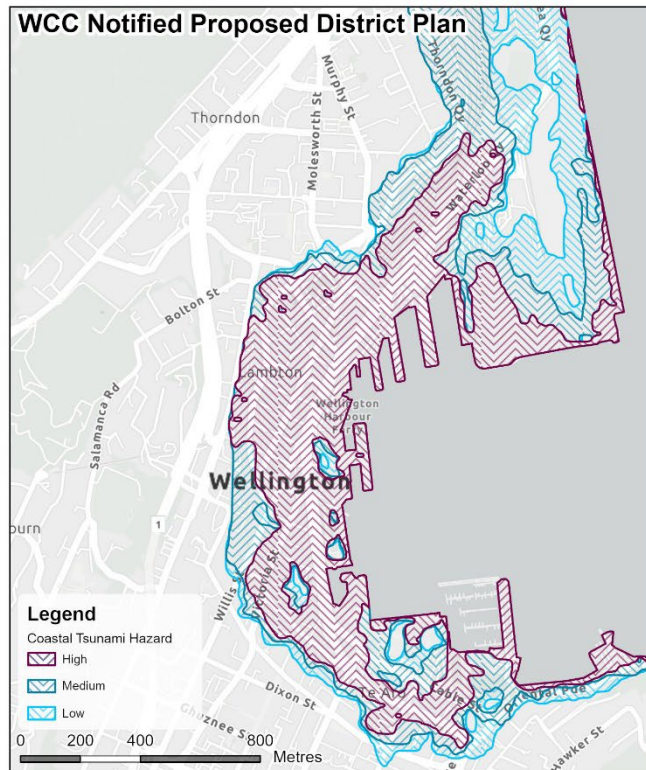
Key changes recommended by the IHP

Tsunami and coastal inundation

- Removed mapping of very low depth (<5 cm) coastal inundation and tsunami inundation
- Fewer properties affected where inundation risk is very low/acceptable
- In City Centre – greater allowance for low-risk building additions above ground floor

Key changes recommended by the IHP

Tsunami Inundation: Wellington CBD

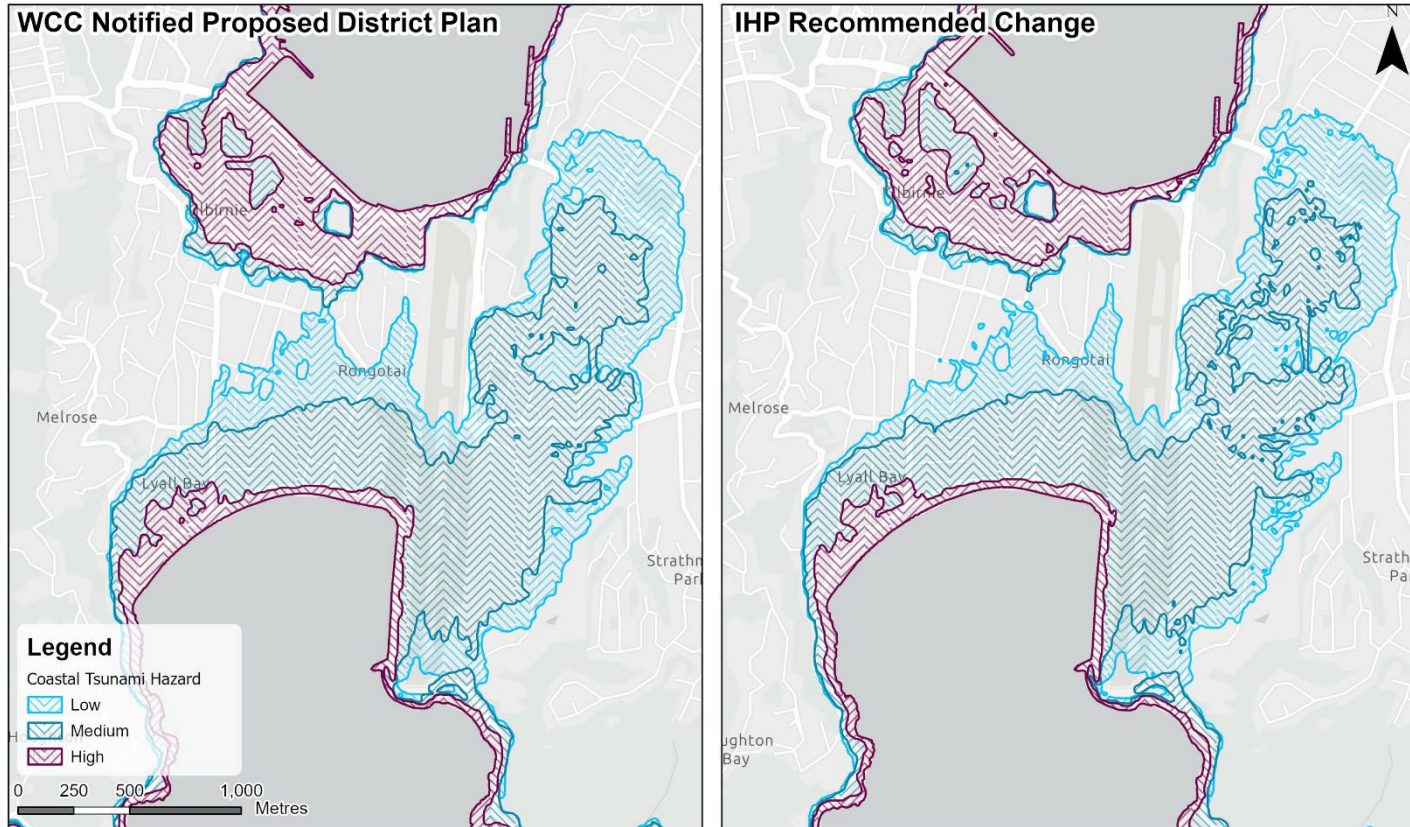


Map 3: Notified and IHP Recommended changes to Tsunami Coastal Hazard Layer in CBD

Basemap credits: Eagle Technology, LINZ, StatsNZ, NIWA, Natural Earth, © OpenStreetMap contributors.

Key changes recommended by the IHP

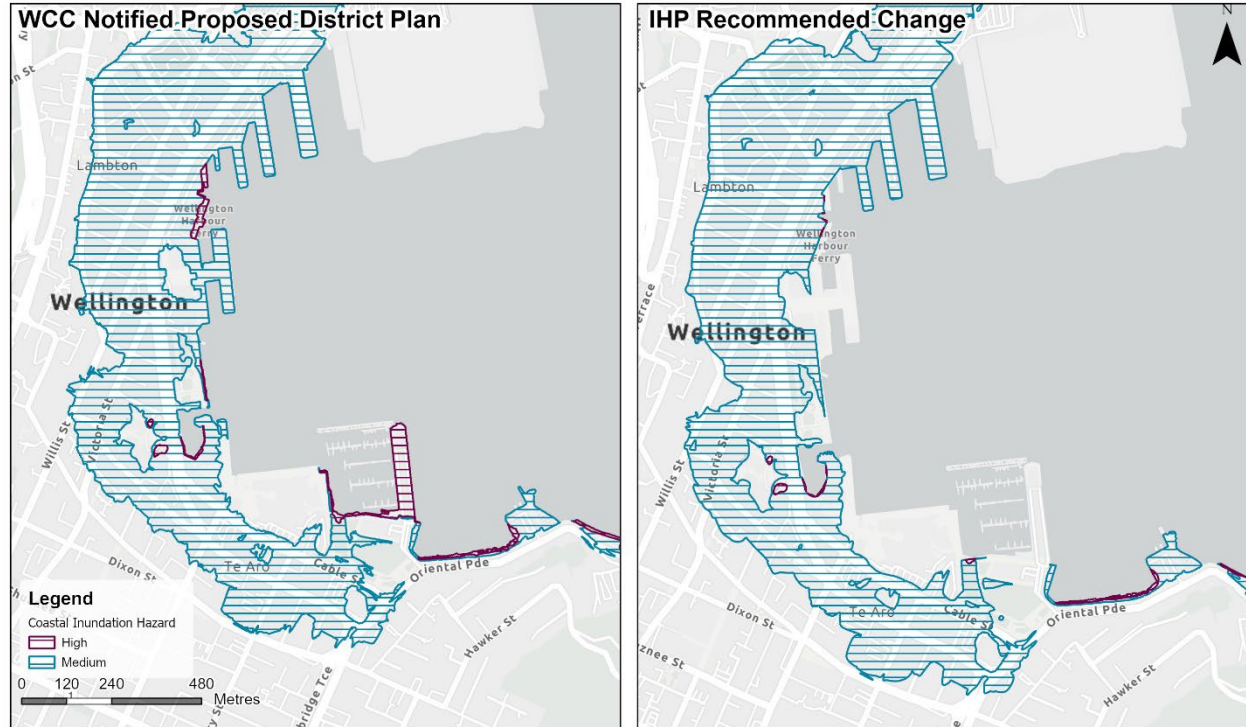
Tsunami inundation – Kilbirnie/Lyall Bay/Miramar example



Map 2: Notified and IHP Recommended changes to Tsunami Coastal Hazard

Key changes recommended by the IHP

Coastal inundation – CBD example



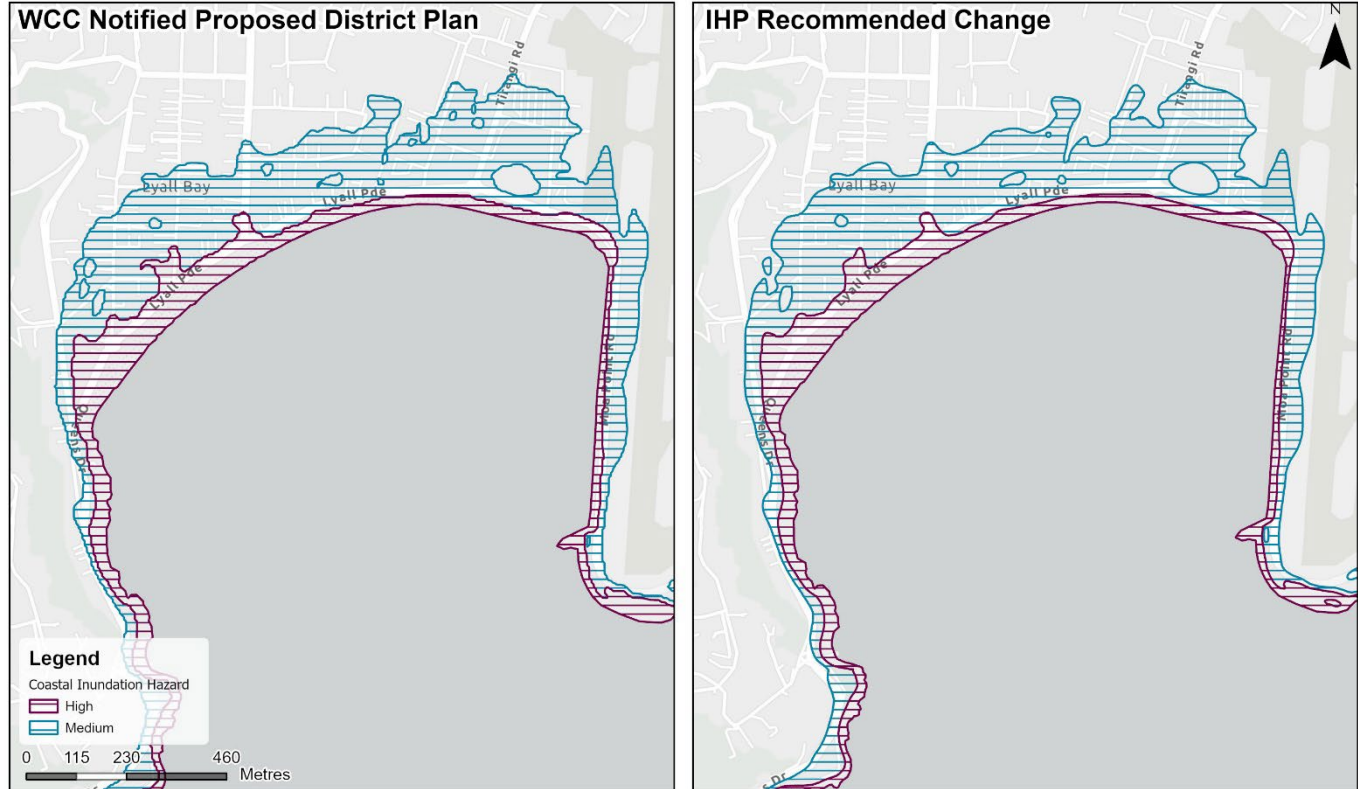
Map 5: Notified and IHP Recommended changes to Coastal Inundation Hazard Layer in CBD

Basemap credits: Eagle Technology, LINZ, StatsNZ, NIWA, Natural Earth, © OpenStreetMap contributors.

Date: 20/02/2024
Credit: City Insights GIS Team

Key changes recommended by the IHP

Coastal inundation – Lyall Bay example



Map 4: Notified and IHP Recommended changes to Coastal Inundation Hazard Layer

Basemap credits: Eagle Technology, LINZ, StatsNZ, NIWA, Natural Earth, © OpenStreetMap contributors.

Key changes recommended by the IHP

Hazard mitigation structures

- Clearer policies and rules for the maintenance and repair of existing hazard mitigation structures (seawalls)
- Clearer policy direction for upgrades to existing hazard mitigation structures, including those that protect regionally significant infrastructure such as the Airport

Key changes recommended by the IHP

Flood hazards

- Clearer policies and rules, including building floor levels above floods
- Reflects differences between stream corridors, overland flowpaths, inundation areas

Liquefaction hazard

- Changed from high risk to low risk
- Building Act/Code manages liquefaction risk for new buildings in urban areas

Questions?

Three Waters

How we manage water

- Manages effects of new development on existing three waters infrastructure
- Helps manage flood risks
- Helps WCC and Wellington Water meet their stormwater discharge consent conditions
- Linked to NPS Freshwater Management 2020 direction:

“Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.”

History of Three Waters

Operative District Plan

- Minimal provisions for three waters infrastructure
- ODP addresses the three waters network and the associated demand just at the time of subdivision only.

Proposed District Plan

- 3 Objectives, 5 policies, 8 rules
- Introduces the Wellington Water Regional Standard for Water Services that was required in the building consent stage into the District Plan to align with national best practise
- On-site stormwater management:
 - Hydraulic Neutrality:
Managing stormwater runoff from subdivision, use and development through either on- site disposal or storage
 - Water Sensitive Urban Design:
Water sensitive design manages stormwater at its source as one of the tools to control runoff and water quality. For 4+ residential and non-residential development only
- Control of Copper and zinc building materials

Overview of submissions and matters in contention

- 45 submitters, 14 further submitters, 10 presented at hearing

Key issues:

- Hydraulic neutrality and the level of modelling required
- Limiting development based on infrastructure capacity
- Water-sensitive urban design

Key changes recommended by the IHP

Hydraulic Neutrality – Stormwater management

- To change the modelling standard from an 'undeveloped state' to 'predeveloped state'.
- The City Centre Zone is excluded from hydraulic neutrality rules



Key changes recommended by the IHP

Permeable Surfaces

- Moves the requirements for permeable surfaces from the relevant residential chapters to the three waters chapter
- Recommended these requirements are brought into the Three Waters Chapter
 - 30% permeable surfaces for 1-3 residential units
 - 50% permeable surfaces for 1-3 large lot residential zone
 - Maximum feasible permeable surfaces encouraged for 4+ residential zone



Example: Water Sensitive Urban Design and Hydraulic Neutrality for 4+ Residential and Non-Residential development



Questions?

Earthworks

ISPP v Standard Planning Process

- Policies and rules for a wide range of different earthworks types are split across ISPP and Standard process “buckets”

ISPP	Standard Planning Process (appealable)
Objective	Introduction
Earthworks provisions that generally implement or are affected by NPS-UD, medium density residential standards, and “qualifying matters”	Other earthworks provisions that are generally not affected by the NPS-UD, medium density residential standards, “qualifying matters”

High level issues responded to by the chapter

- Need to align earthworks provisions with National Planning Standards and Regional Plan.
- Need to clarify how to apply permitted activity standards.
- Need to clarify certification requirements.



Key IHP findings – Earthworks

- Amalgamation of rules to **build and maintain tracks**, and natural **hazard mitigation** works
- Clarify direction to **only allow** significant earthworks in significant natural areas (SNA) if **biodiversity is addressed**, including a new **non-complying** activity in **coastal environment SNAs**
- New **non-complying** rule for earthworks within the **ridgetop area** of the Upper Stebbings and Glenside West **Development Area**
- Minor amendments to rules and standards for earthworks in the national grid yard, gas transmission pipeline corridor, and Airport Zone.
- **Increased transport volume** of cut/fill material for the **Future Urban Zone**.

Subdivision

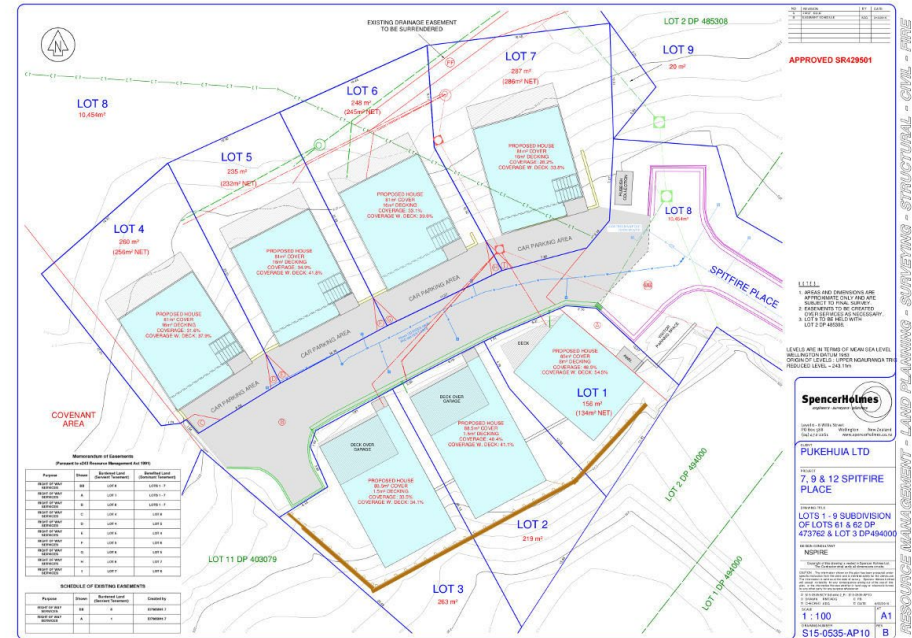
ISPP v Standard Planning Process

- Policies and rules for subdivision for different purposes and in different locations are split across ISPP and Standard process “buckets”

ISPP	Standard Planning Process (appealable)
	Introduction
Objective on efficient development pattern	Objective on esplanades
Subdivision provisions that generally implement or affected by NPS-UD, medium density residential standards, and “qualifying matters”	Other subdivision provisions that are generally not affected by the NPS-UD, medium density residential standards, “qualifying matters”

High level issues responded to by the chapter

- Reduce duplication, conflict, and volume of source material in objectives, policies, matters of control/discretion and assessment criteria.
- Adopt new and revised definitions for terms as per the National Planning Standards.
- Refine operative standards for size and shape to implement NPS-UD and 2021 RMA Amendment Act requirements.



Key IHP findings – Subdivision

- Delete all references to consent notices and legal instruments.
- Clarify provisions, including a new restricted discretionary rule for subdivision in ridgeline and hilltops overlay, and ridgetop area of the Upper Stebbings and Glenside West Development Area.
- New non-complying activity for subdivision within a significant natural area (SNA) located inside the coastal environment.
- Add that ‘areas for access to the building platform’ be identified for each undeveloped allotment within a SNA, ONFL, and high coastal natural character area.

Key IHP findings – Subdivision

- Restructure of rules based on natural hazard rather than sensitivity of activity – no change to activity status.

Key:
Non-Complying
Discretionary
Restricted Discretionary
Controlled
Low hazard
Medium hazard
High hazard

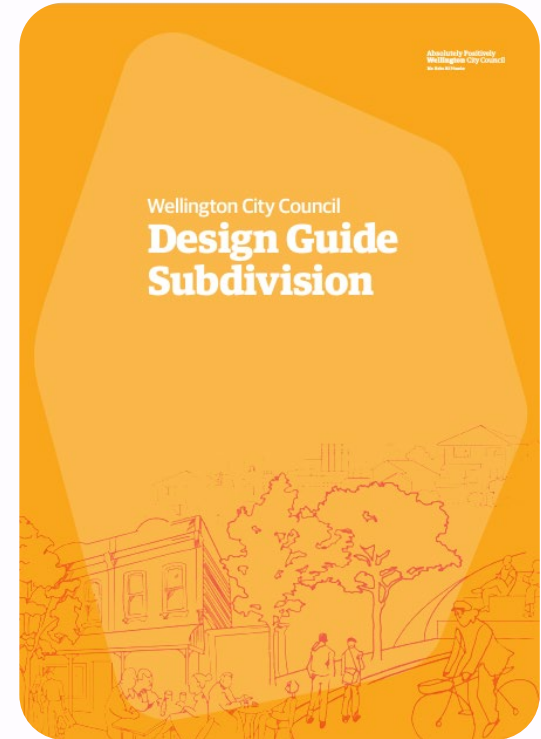
Right of Reply revised rule framework	Less hazard sensitive activity	Potentially hazard sensitive activity	Hazard sensitive activity	CCZ, Airport or operational port activities, passenger port facilities or railway
Fault Hazards				
Terawhiti Fault Hazard Overlay	SUB-R17.1	SUB-R17.1	SUB-R17.1	
Shepherds Gully Fault Hazard Overlay	SUB-R17.1	SUB-R17.1	SUB-R17.1	
Ohariu Fault Overlay	SUB-R18.1	SUB-R18.2	SUB-R18.3	
Wellington Fault Overlay	SUB-R19.1	SUB-R19.3	SUB-R19.4	SUB-R19.2
Liquefaction				
Liquefaction Hazard Overlay	SUB-R20.1	SUB-R20.1	SUB-R20.1	
Flood Hazards				
Flood Hazard – Inundation	SUB-R21.1	SUB-R21.1	SUB-R21.2	
Flood Hazard – Overland Path	SUB-R22.1	SUB-R22.2	SUB-R22.2	
Flood Hazard – Stream Corridor	SUB-R23.1	SUB-R23.2	SUB-R23.2	
Coastal Hazards				
Low coastal hazard	SUB-R24.1	SUB-R24.1	SUB-R24.2	
Medium coastal hazard	SUB-R25.1	SUB-R25.2	SUB-R25.4	SUB-R25.3
High coastal hazard	SUB-R26.1	SUB-R26.3	SUB-R26.3	SUB-R25.2

Key IHP findings – Subdivision

- Add to subdivision heritage policies – **have regard to advice** from a suitably **qualified heritage** professional and Heritage NZ.
- Delete SUB-R27 for subdivision in (now **redundant**) **national grid substation buffer**. Minor amendments to national grid rule and deletion of controlled activity rule (instead restricted discretionary) for subdivision in the gas transmission pipeline corridor.
- **New policy** for subdivision within the **Inner Air Noise Overlay** to align with notified discretionary activity rule, and Wellington International **Airport must be notified** to submit on any applications.
- **Delete minimum lot size** for Centres and Industrial Zones, for flexibility innovation and choice.

Key IHP findings – Subdivision Design Guide

- Recommended to be deleted
- Considered that it adds little value to the direction of the Subdivision chapter
- New SUB policy added which brings together key aspects of the Design Guide



Noise

Noise

ISPP (not appealable)	Standard Planning Process
Policy on development in noise sensitive areas	All other noise provisions
Noise-sensitive new, altered, added buildings in noisy areas	
Acoustic insulation in high noise areas	



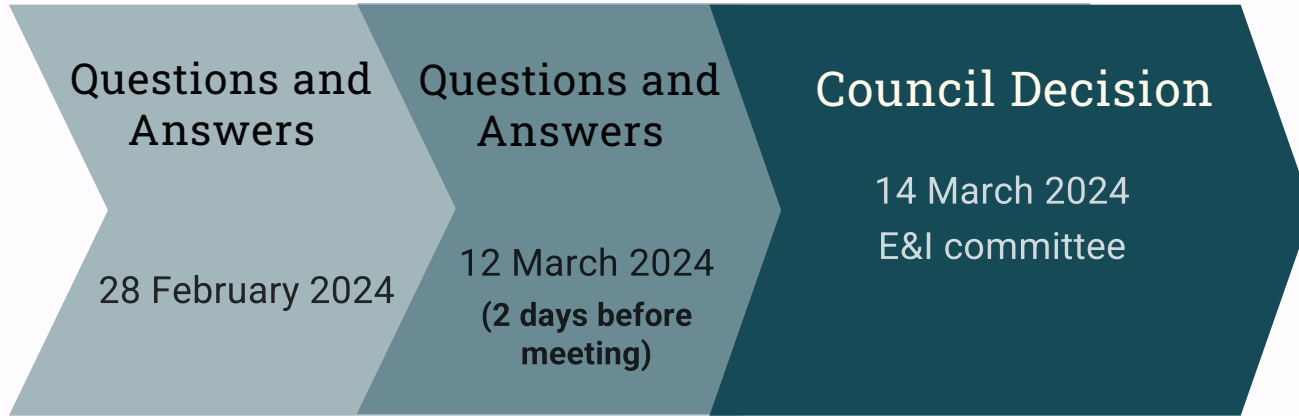
Noise



High level issues	PDP Response
How to manage noise-sensitive activities (houses etc) near the airport	High noise areas: 40m from state highway and rail, Courtenay Place, Industrial, Airport Inner Overlay Moderate noise areas: 40-100m from rail and state highway >70 kmh, commercial areas, port and airport outer overlays
Acoustic insulation and ventilation in noisy areas	Expert caucusing: set method and standards for minimum outdoor-to-indoor noise reduction, with acoustic insulation and ventilation
Vibration near railway, state highways	No new vibration rules, but a rail advisory overlay added 60 m from rail designations
Hospital heliport noise	Add helicopter noise effects advisory overlay



Next topics



Questions?