

Proposed Private Plan Change 40
(From: Steve Taylor Consultant Planner
(Through: Director of Planning and Regulatory Services)



UPPER HUTT CITY
UPPER HUTT CITY COUNCIL
File: 351/13/008
Ref: ST

Date: 4 August 2015

Response to Minute 4

Proposed (Private) Plan Change 40: Wallaceville

1.0 Introduction

- 1.1. Minute 4 of the hearing Committee has requested the conferencing planners to address the disconnect between the mandatory wording of policy 4.4.14 (and 6.4.6) and the potential departure from the structure plan provided by policy 4.4.15 (and 6.4.7). The Committee has also expressed concern that outcomes engrained in the structure plan are not reflected in the permitted activity rules and standards in all cases.
- 1.2. The Committee has suggested some options for consideration to overcome these issues.

- a. amalgamating policies 4.4.14 and 4.4.15 and also amalgamating 6.4.6 and 6.4.7;
- b. 'softening' the mandatory language in policies 4.4.14 and 6.4.6; and
- c. deleting policies 4.4.14 and 6.4.6 which require consistency with the structure plan, and specifying in policies 4.4.15 and 4.6.7 that all subdivision and development (irrespective of whether it is 'consistent with the structure plan' or not) will be consistent with the bulleted outcomes listed under those policies.

Council and the requestor have agreed on replacement wording as contained within a joint statement dated 4 August. I provide further explanation of the position below.

2.0 Policy Amendments

- 2.1. Policy 4.4.14 and its sister 6.4.6 has been included to confirm that development that is consistent with the structure plan will satisfy objective 4.3.5 and enable the efficient utilisation of land. I agree that some rules and standards (in particular minimum net site area requirements, and low density bulk and location standards¹) do not ensure that development is consistent with the structure plan. The following amendments² would better clarify the intent to that which is contained in the 27 July joint statement:

Policy 4.4.14 To provide for subdivision and/or development within the Wallaceville Structure Plan Area ~~shall be~~ that is consistent with the Wallaceville Structure Plan

Policy 6.4.6: To provide for subdivision and/or development within the Gateway Precinct of the Wallaceville Structure Plan Area that is consistent with the Wallaceville Structure Plan

¹ These comments are predicated on the basis that business activities are not provided for within residential zones of the structure plan.

² changes are based on the joint statement dated 27 July

- 2.2. The above amendments to policies 4.4.14 and 6.4.6 do not provide any guidance on development that is inconsistent with the structure plan. To overcome this issue, policies 4.4.15 and 6.4.7 address a number of 'bottom lines' that have been identified as being of sufficient significance to warrant the inclusion of rules and standards. These bottom lines are drawn from key WSP principles. An activity that is 'consistent with the structure plan' will satisfy these policies. An activity that is inconsistent with the structure plan should demonstrate that it is appropriate against the bottom lines of policy 4.4.15.
- 2.3. In considering an application for resource consent, subdivision and/or development 'will only be appropriate if' the bottom lines are satisfied. In so doing, this policy confirms a higher threshold for consideration than existing plan policies 4.4.2, 4.4.5, 4.4.7, 4.4.11, 4.4.12, 4.4.13, 6.4.1, 6.4.3, 6.4.4, which collectively address similar issues to those listed in 4.4.15.
- 2.4. I do not consider that a tension exists between amended policies 4.4.14/6.4.6, 4.4.15/6.4.7 and permitted activity rules. To address any potential disconnect, the reference to 'consistency with the structure plan' can be removed and explanatory text added.

Policy 4.4.15 Subdivision and/or development in the Wallaceville Structure Plan Area, which is not consistent with the Wallaceville Structure Plan will only be appropriate if it:

- *Provides a high level of residential amenity;*
- *Ensures adequate infrastructure and transport provision;*
- *Facilitates the safety of road users;*
- *Provides adequate on-site stormwater management;*
- *Does not detract from the vitality and vibrancy of the Upper Hutt CBD; and*
- *Is integrated with the development generally anticipated in the Wallaceville Structure Plan*

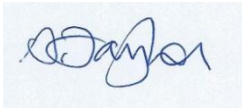
Policy 6.4.7 Subdivision and/or development in the Wallaceville Structure Plan Area which is not consistent with the Wallaceville Structure Plan will only be appropriate if it:

- *Provides a high level of amenity;*
- *Ensures adequate infrastructure and transport provision; and*
- *Facilitates the safety of road users;*
- *Does not detract from the vitality and vibrancy of the Upper Hutt CBD; and*
- *Is integrated with the development generally anticipated in the Wallaceville Structure Plan*

- 2.5. Amendments to the supporting explanation would assist in clarifying the intent of policies 4.4.15 and 6.4.7, in particular to confirm that an activity that is 'consistent with the structure plan' will satisfy these policies. Suggested wording is outlined in the 4 August joint statement. I consider that these explanatory changes are more appropriate than the corresponding explanations in the 27 July joint statement.
- 2.6. Given the direction provided by each of the policies above, in particular the enabling provisions of policies 4.4.14 and 6.4.6 and bottom lines of policies 4.4.15 and 6.4.6, I do not consider that an option that amalgamates them is appropriate. To do so would undermine the individual contribution that they provide and be less efficient and effective in achieving objective 4.3.5.

3.0 Alexander Road

- 3.1. The committee has picked up an unintended consequence of new activity controls in rule 18.9 that triggers a fully discretionary activity resource consent for new road allotments gaining direct access to Alexander Road. The intention is that new road allotments would not trigger the higher status, and that these rules would only apply to private access/egress from individual properties. A possible solution is to rely on the term 'private vehicle access' within rule 18.9. Suggested wording is contained in the 4 August joint statement.



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