

The background of the slide is a collage of four photographs. The top-left photo shows a cloudy sky. The top-right photo shows a green, forested mountain peak. The bottom-left photo shows a yellow car and a red car parked on a street. The bottom-right photo shows a river flowing through a lush, green forest.

District Plan Work Programme Update

***Council Briefing
7 July 2021***

Introduction

- Update on the Biodiversity Plan Change (SNA's)
- Update and outline of the Draft Natural Hazards, Hazardous Substances and Esplanade Area Plan Changes
- Amendments to the District Plan in accordance with the National Planning Standards and the National Policy Statement on Urban Development (NPS-UD)

Biodiversity Plan Change

- Project background and update
- NPSIB progress
- Existing Plan Provisions
- Next steps



Existing District Plan Provisions

- Vegetation Clearance
 - Rural Zones
 - Outstanding Natural Landscapes (43%)
 - Coastal Environment (19%)
 - High and Outstanding Natural Character Areas (14%)
- Gaps
 - Residential and Business Zones (248ha)
 - Small pockets of vegetation outside overlay areas



Natural Hazards

- **Plan Change 154 (PC154) –Natural Hazards Chapter (NH)**
 - **Plan Change 90 (PC90) – Coastal Hazards (CH)**
 - **Plan Change 149 (PC149) – Flooding (FLD)**
 - **Plan Change 139 (PC139) – Land Suitability (LST)**
 - **Plan Change 152 (PC152) – Mining Subsidence Hazards (MSH)**

Natural Hazards – NRC Mapping

Coastal Hazards

- Coastal hazard mapping feedback open since April 19th.
- Received 120 genuine feedback/queries.

Flood Hazards

- In final stages of preparing region wide flood hazard mapping.
- Targeting public release for August/September.
- No confirmed feedback/consultation process yet.

Hazardous Substances



What approach do we have currently?

Operative District Plan includes:

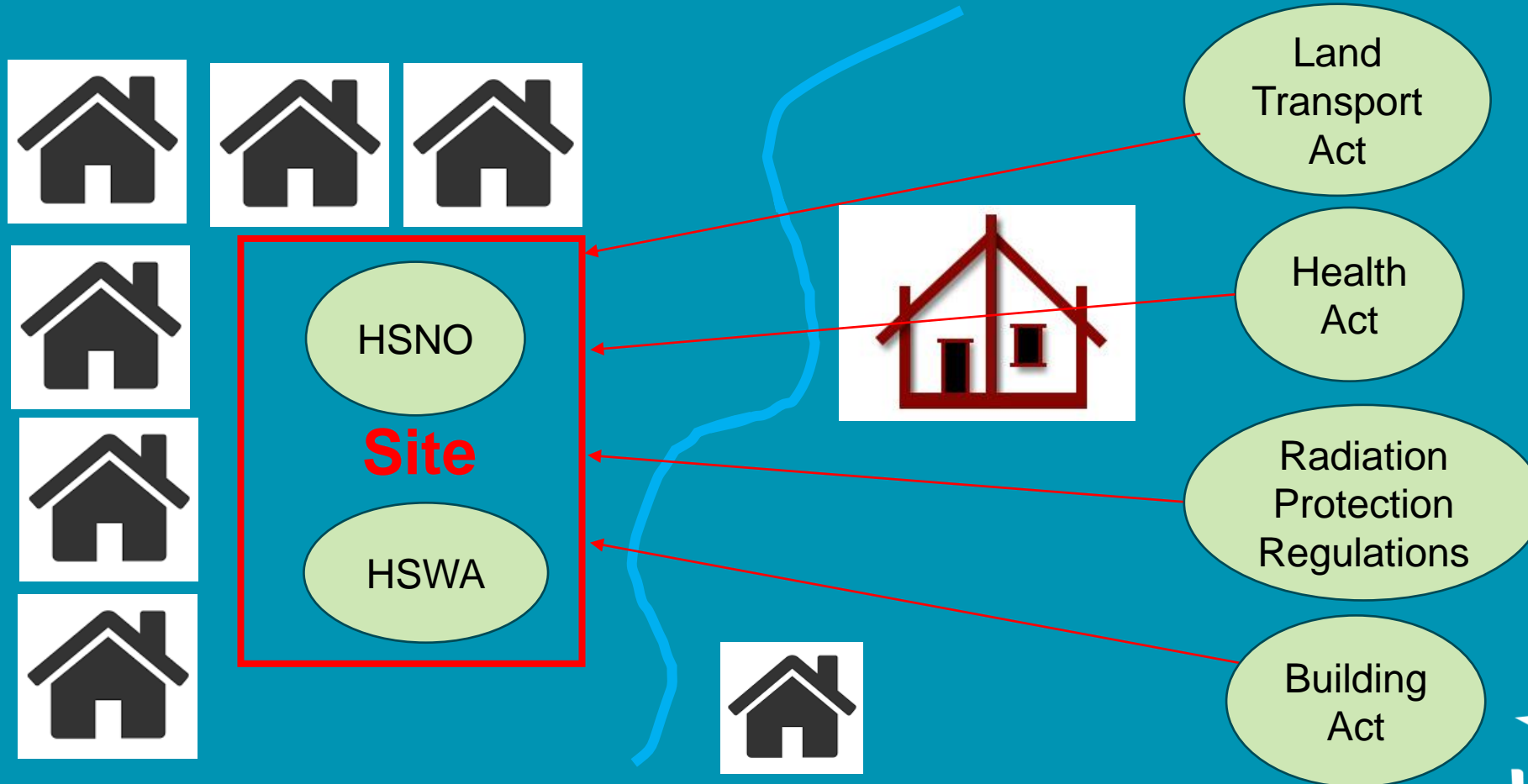
- Rules (and objectives and policies) use a tool called the *Hazardous Facilities Screening Procedure* (HFSP)
- Consent assessment focuses on adverse effects and risks, and require consideration of to site design, storage, spill containment, signage, disposal, record keeping and emergency planning.

Step 1		
Adjustment Factors for All <u>Effect</u> Types		
Fire/ Explosion	Human Health	<u>Environment</u>
FF1: substance form	FH1: substance form	FE1: substance form
Solid = 1	Solid = 3	Solid = 3
Liquid, powder = 1	Liquid, powder = 1	Liquid, powder = 1
Gas (101.3 kPa and 20°C) = 0.1	Gas (101.3 kPa and 20°C) = 0.1	Gas (101.3 kPa and 20°C) = 0.1
FF2: separation distance from site boundary (sub-facility)	FH2: separation distance from site boundary (sub-facility) (gases only)	FE2: environmental sensitivity
< 30 m = 1	< 30 m = 1	Normal = 1
> 30 m (>60 m) ¹ = 3	> 30 m (>60 m) ² = 3	Adjacent to water resource ² = 0.3
FF3: type of activity	FH3: type of activity	FE3: type of activity
Use = 0.3	Use = 0.3	Use = 0.3
Above-ground storage = 1	Above-ground storage = 1	Above-ground storage = 1
Underground storage ³ = 10	Underground storage ³ = 10	Underground storage ³ = 3
Final Fire/Explosion Adjustment Factor FF = FF1 x FF2 x FF3	Final Human Health Adjustment Factor FH = FH1 x FH2 x FH3	Final Environment Adjustment Factor FE = FE1 x FE2 x FE3
Step 6		
assess resource consent status		

What has changed since the last District Plan review?

- District level
 - Rolling Review of the District Plan
 - Changing environmental context
 - Changing demand and use of hazardous substances
- Regional level
 - Regional Policy Statement
 - Northland Regional Plan
- National level
 - Hazardous Substances and New Organisms Act 1996
 - Health and Safety at Work Act 2015
 - Resource Legislation Amendment Act 2017

Management of risks – The role of legislation and regulations



Options

Option 1: Status Quo

Retain controls and use the HFSP as the tool to identify where consent is required (update as needed).

Option 2: Activity Based Approach

Define specific hazardous activities and require consent in specific zones/locations.

Option 3: No Rules in the District Plan

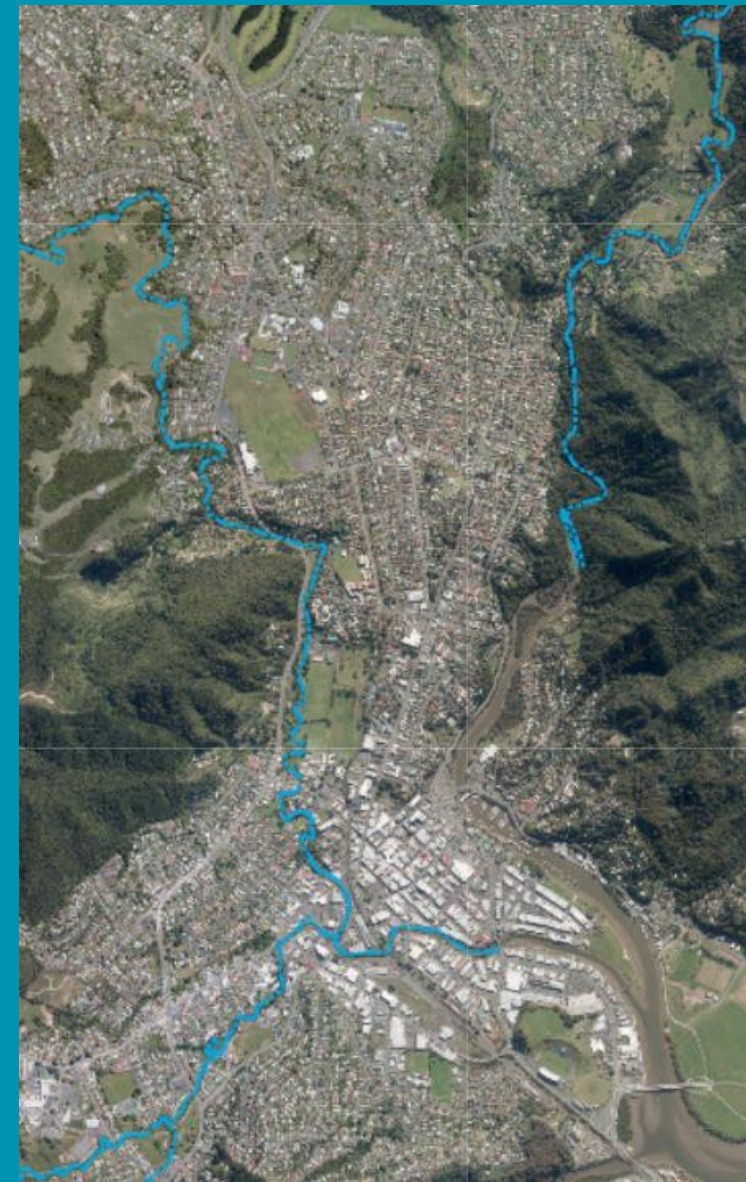
Remove all rules which relate to hazardous substances and rely on objectives, policies and spatial zoning tools.

Esplanade Reserves and Strips

- Created through subdivision
- Usually 20m wide.
- Protect ecological values, riparian margins and outstanding natural features and provide public access along the coast and rivers.
- Esplanade reserves – vested in Council.
- Esplanade strips – remain in private ownership.
- Where lots are less than 4ha and adjoining a waterbody.
- Where lots are above 4ha and agreement is reached.

Esplanade Priority Areas (EPA)

- Resource area in the District Plan.
- Purpose – facilitate the acquisition of esplanade reserves and strips along selected water bodies.
- Aim – to establish a network of esplanade reserves or strips along rivers, lakes, streams and the coast.
- Approximately 100 EPA's identified in the District Plan.
- Selected for ecological and recreational purposes.



Esplanade Areas Plan Change

- Currently undertaking internal consultation to review current list of EPA's and to determine whether to add or remove waterways.
- Section 32 report being drafted.
- Draft Esplanade Areas chapter being prepared.
- Pre-consultation expected to commence late 2021.



National Planning Standards

The Standards require the District Plan to be amended to give effect to mandatory directions on:

- Structure
- Format
- Definitions

Mandatory directions must be given effect to without a Statutory Plan Change Process.



Amendments Undertaken

- New overarching District Plan structure complete.
- Required definitions introduced and operative definitions amended.
- Chapters currently complying with mandatory directions on structure and format include:

Strategic Direction Chapters	Lighting	Airport Zone
Transport	Signs	Hospital Zone
Three Waters Management	Residential Zones	Port Zone
Subdivision	Commercial & Mixed Use Zones	Open Space & Recreation Zones
Earthworks	Industrial Zones	Precinct

Required Amendments

- Complete amendments to mapping colours and symbols:

Table 19: Zone colour palette

Zone name	Colour
Large lot residential zone	
Low density residential zone	
General residential zone	


- Chapters currently being amended to comply with mandatory directions on structure and format include:

Rural Zones	Notable and Public Trees	Minerals
Network Utilities	Papakāinga	Coastal Environment
Contaminated Land	Waterbodies	GMO
Historical Heritage	Natural Features and Landscapes	Ruakaka Equine Zone

Chapter Structure and Format

Current chapter structure and format

RUEZ.1
Rural (Urban Expansion) Zone



Index

RUEZ.1
Rural (Urban Expansion) Zone

RUEZ.1.1Description and Expectations

RUEZ.1.2Objectives

RUEZ.1.3General Policies

RUEZ.1.4Guidance Note

RUEZ.2
Landuse

RUEZ.2.1Eligibility Rules

RUEZ.2.2Notification Rules

RUEZ.2.3Discretionary Activities

RUEZ.2.4Assessment Criteria

RUEZ.3
Subdivision

RUEZ.3.1Eligibility Rules

RUEZ.3.2Notification Rules

RUEZ.3.3Controlled Activities

RUEZ.3.4Assessment Criteria & Matters of Control

RUEZ. Appendix 1 ToeToe Road and Whau Valley Areas Subject to Further Development Restrictions

RUEZ.1.1 Description and Expectations

The Rural (Urban Expansion) Zone (RUEZ) covers five areas of rural residential **land**. These five areas contain clusters of low density residential development situated on the fringes of Whangarei City's residential suburbs, and are addressed in adopted Urban Structure Plans.

The locations of Rural (Urban Expansion) Zone are limited to those areas containing existing rural residential development and which allow for the future **reticulated** development of areas contiguous to existing urban areas. The Rural (Urban Expansion) Zone generally adjoins Residential or Open Space and Recreation Zones on the inner (urban) edge and Large Lot Residential Zone or Rural Production Zone on the outer (rural) edge.


There is a distinct rural residential amenity and character within Rural (Urban Expansion) Zone areas which is different to the amenity of urban areas and of areas of Rural Production Zone. Part of that rural residential amenity and character relates to remnants of **rural production activities** such as stock loading yards, bars, sheds, fences and shelterbelts. The Rural (Urban Expansion) Zone areas also provide amenity to the adjoining urban areas by providing a rural residential outlook until future urban expansion occurs.

The Rural (Urban Expansion) Zone provides for a density of rural residential development that lies between the densities of the Rural Living and Residential Zones. It provides capacity for the future urban expansion of the City and accordingly must be managed for this purpose.

It is anticipated that most Rural (Urban Expansion) Zone locations will be considered for rezoning to a Residential Zone once **reticulated** services are available. However, two clusters of Rural (Urban Expansion) Zone (Toe Toe **Road** and Whau Valley **Road** – see RUEZ. Appendix 1 for location of these areas) have been identified as not suitable for future urban development because of **natural hazards**, proximity to Quarrying Resource Areas and other landuse constraints, and have been zoned Rural (Urban Expansion) Zone solely to recognise the existing level of rural residential development.

Some non-residential activities of a compatible nature, scale and location may be located within the Rural (Urban Expansion) Zone including **commercial activities** that are **ancillary activities** to **residential activities**.

Future Urban Zone (FUZ)



Issues

The Future Urban Zone (FUZ) covers five areas of rural residential land. These five areas contain clusters of low density residential development situated on the fringes of Whangarei City's residential suburbs, and are addressed in adopted Urban Structure Plans.

The locations of Future Urban Zones are limited to those areas containing existing rural residential development and which allow for the future reticulated development of areas contiguous to existing urban areas. The Future Urban Zone generally adjoins Residential Zones or Open Space and Recreation Zones on the inner (urban) edge and the Large Lot Residential Zone or Rural Production Zone on the outer (rural) edge.

There is a distinct rural residential amenity and character within Future Urban Zone areas which is different to the amenity of urban areas and of areas of Rural Production Zone. Part of that rural residential amenity and character relates to remnants of rural production activities such as stock loading yards, bars, sheds, fences and shelterbelts. The Future Urban Zone areas also provide amenity to the adjoining urban areas by providing a rural residential outlook until future urban expansion occurs.

The Future Urban Zone provides for a density of rural residential development that lies between the densities of the Rural Lifestyle Zones and Residential Zones. It provides capacity for the future urban expansion of the City and accordingly must be managed for this purpose.

It is anticipated that most Future Urban Zone locations will be considered for rezoning to a Residential Zone once reticulated services are available. However, two clusters of Future Urban Zone (ToeToe Road and Whau Valley Road – see FUZ Appendix 1 for location of these areas) have been identified as not suitable for future urban development because of natural hazards, proximity to Quarrying Resource Areas and other land use constraints, and have been zoned Future Urban Zone solely to recognise the existing level of rural residential development.

Some non-residential activities of a compatible nature, scale and location may be located within the Future Urban Zone including commercial activities that are ancillary activities to residential activities.

Objectives

FUZ-O1 – Rural Residential Areas	Future Urban Zone, other than ToeToe Road and Whau Valley Road, are maintained as rural residential areas prior to being reticulated for urban expansion.
FUZ-O2 – Reticulated Urban Expansion	Subdivision and development within the Future Urban Zone does not compromise its future for reticulated urban expansion.
FUZ-O3 – Hazards, Heritage and Natural Features	Subdivision and development within the Future Urban Zone avoids hazard areas and protects heritage and natural features such as landforms, watercourses and indigenous vegetation.
FUZ-O4 – Infrastructure Services	Infrastructure services for subdivision and development within the Future Urban Zone are appropriately designed and constructed.
FUZ-O5 – Non-Residential Activities	Compatible small scale non-residential activities are provided for within the Future Urban Zone.

New chapter structure and format

NPS on Urban Development – Car Parking

3.38 Car parking

- (1) If the district plan of a tier 1, 2, or 3 territorial authority contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.
- (2) Territorial authorities must make any changes required by subclause (1) without using a process in Schedule 1 of the Act.
- (3) Nothing in this National Policy Statement prevents a district plan including objectives, policies, rules, or assessment criteria:
 - (a) requiring a minimum number of accessible car parks to be provided for any activity; or
 - (b) relating to parking dimensions or manoeuvring standards to apply if:
 - (i) a developer chooses to supply car parks; or
 - (ii) when accessible car parks are required.