

# Planning for Growth

## District Plan Review

### Rural Area - Issues & Options Report

Tō tātou taone  
mō Apōpō

**E rautaki  
ana mātou**

Our City  
Tomorrow

**Planning  
for Growth**

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

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## Executive Summary

The Rural Area section of the Wellington District Plan governs the land use activities and associated buildings in the rural area of Wellington City, which is approximately two-thirds of the total land area of the City.

This issues and options report explores issues with the existing provisions for the Rural Area, based on a review of the legislative and statutory context, discussions with the Resource Consent and Parks teams and an analysis of the recent monitoring data. The feedback to date and analysis of the monitoring data indicates that on the whole the rural provisions are working as intended. The rate of residential development and subdivision has been low, and is consistent with the intention to allow a limited and slow rate of change and maintain the character and amenity of the rural area and compact city form. Feedback on the Rural Area Design Guide is that it is working well and in conjunction with the rules provides sufficient flexibility to enable good environmental outcomes in terms of maintaining rural character and amenity.

Five issues have been considered in this report. These issues, the preferred option and/or further work required to determine or confirm a preferred option is as follows:

Issue	Preferred Option (based on the information to date)	Further Work Required
Is the existing Policy approach appropriate (minimise land fragmentation to maintain a compact city, maintenance of rural character and amenity).	Status quo. Consistent with the RPS and Councils 'compact city' goal.	Review spatial plan once released to confirm no change to the policy approach for the rural area. The Rural Area monitoring report needs to be more targeted and completed.
Effectiveness of the single rural zone and associated Appendix areas	Use a range of zones to manage the variations in the role, function, character of different parts of the rural Area, and to absorb the Appendix Areas. The selection of zones to be informed by further work.	Completion of the assessment of urban fringe areas for low density or rural residential development (being undertaken by Isthmus).  Prepare a stocktake of the areas already developed for rural lifestyle in Takapu Valley and Horokiwi.  Further investigation to understand the background to the Takapu Valley) provisions.  Collaboration with the Natural Hazards work stream in relation to the future zoning and provisions for Makara Beach, where there are sea level rise and flooding issues.
Effectiveness of the Rural Area Design Guide	Status quo. Retain the Design Guide approach, with amendments to the structure and content.	An independent audit of the outcomes consented developments - to test the current view that the Design Guide approach is working well and to inform any changes required.  Assuming that the audit supports the retention of the Design Guide, a review of the structure and content will be required.
Provision for Goat Farming	Status quo. Retain the Controlled Activity status, but include additional matters of control and a fencing standard	Develop a fencing standard and matters of control in collaboration with the Parks Team and the Natural Environment work stream
Provision for Tangata Whenua buildings and activities – disconnect between the policy and rules	Further work required.	Collaboration with the Tangata Whenua work stream to develop appropriate policy and provisions, and to determine their location in the Plan

The main issue requiring further work is around the current blanket rural zoning over the entire rural area, which has significant variations in character. This has led over time to the inclusion of Appendix areas and associated rules to deal with these variations which has resulted in ad hoc provisions and uncertainty as to the role and function of the areas. This report provides alternative zoning approaches to be explored further.

Other issues require the amendment of existing provisions, rather than a wholesale change to the current approach.

Further research is required to develop options to address the issues raised. Some issues have cross overs with work being undertaken by other District Plan work streams and this has been identified.

# 1 Introduction

## 1.1 Purpose of this Report

Wellington City Council (the Council) is undertaking a review of the District Plan to ensure that it is fit for purpose and continues to meet statutory requirements.

The purpose of this report is to identify issues and recommend options for further consideration in relation to the review of the Rural Area chapter of the District Plan, with a focus on buildings and activities provided for in the zone.

There are a number of other issues and options reports on topics with relevance to the rural area. They include the district-wide matters of Subdivision, Natural and Coastal Environment (which will address the provisions for the Ridgelines and Hilltops Overlay), Tangata whenua, Earthworks, Natural Hazards, Transport and Parking, Noise, Signs and Temporary Activities. This report needs to be read in conjunction with these other reports to obtain a complete 'picture' of all the issues and options identified for the rural area.

## 2 Context

### 2.1 Legislative Context

#### 2.1.1 Resource Management Act

The District Plan is a statutory document required to be produced by local authorities under the Resource Management Act (RMA). The Act requires that Councils review the provisions of the district plan at least every 10 years, either through a full or rolling review. Wellington City Council is undertaking a full review of the District Plan as part of the Planning for Growth<sup>1</sup> programme.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose Councils are required to provide for matters of national importance in s6, have particular regard to other matters in s7 and take into account the principles of the Treaty of Waitangi in s8. Of particular relevance to the provision for buildings and activities in the rural area are:

*s7(b) The efficient use and development of natural and physical resources; and*

*s7(c) The maintenance and enhancement of amenity values.*

#### 2.1.2 National Environmental Standards for Plantation Forestry

The National Environmental Standards for Plantation Forestry (NES-PF) came into force on 1 May 2018. The NES-PF is a nationally consistent set of regulations to manage the effects of plantation forestry and associated infrastructure. Plantation forestry is defined in the NES-PF

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<sup>1</sup> The Planning for Growth Programme includes public engagement and various work streams, including the development of a new spatial plan and a review of the District Plan, to provide a clear direction for the future growth of the City based on five goals i.e. that Wellington should be Compact, Resilient, Greener, Vibrant and Prosperous and Inclusive and Connected.

as forests of at least 1ha of continuous area that have been established specifically for commercial purposes<sup>2</sup>,

The standards largely remove the ability to regulate these activities through a district plan, unless located within ONFLs or SNAs. Accordingly, the existing provision for plantation forestry will need to be removed from the Rural Chapter to align with the NES-PF (although rules relating to plantation forestry activities may be included in the Natural Environment Chapter in relation to the ONFLs and SNAs located in rural areas). Planting not covered by the NES-PF, e.g. conservation forestry, shelter belts, small scale woodlots will continue to be addressed in the District Plan.

### 2.1.3 National Planning Standards

The National Planning Standards came into effect on 3 May 2019, with minor changes coming into force later on 2 December 2009. The standards require consistency nationally in relation to the structure and format of new district plans, the nature and name of zones, the use of mandatory definitions, and the requirements for electronic functionality.

The National Planning Standards require a reorganisation of the existing district plan structure, with the district-wide matters currently located in the Zone chapters (including provisions for subdivision, the ridgelines and hilltops, coastal provisions, hazards and risks, traffic and noise) removed from the zone chapters and placed into standalone chapters. This will mean that in the proposed plan the Rural Chapter will be primarily focused on provisions for activities and buildings in the rural area. The Planning Standards also introduce mandatory zone names and definitions, which will require changes to those currently used in the operative district plan.

## 2.2 Wellington Strategic Context

### 2.2.1 Regional Policy Statement 2013

The Regional Policy Statement for the Wellington Region (RPS) sets out the framework and priorities for resource management in the region.

Objective 22 of the RPS directs that the regional form be “*compact, well-designed and sustainable*”, with a key criteria being that rural development be “*strategically planned*”. To achieve this, associated policies 55 and 56 require decision makers on district plan reviews to consider the following matters:

Policy 55: Maintaining a compact, well designed and sustainable regional form - consideration

- Whether a proposal is the most appropriate option for achieving the objective of a compact, well designed and sustainable regional urban form.
- Whether the proposed development is consistent with the Council’s growth and/or development framework or strategy.

Explanation: “*Urban development beyond the region’s urban areas has the potential to reinforce or undermine a compact and well-designed regional form*”.

Policy 56: Managing development in rural areas - consideration

- Management of development in rural areas taking into account impacts on the productive capacity of the rural land, whether aesthetic and open space values will be

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<sup>2</sup> The ‘Plantation Forestry’ definition in the NES-PF includes a list of exclusions to ensure that it does not capture nurseries and orchards, shelter belts, small woodlots and conservation or restoration forestry.



reduced, and the proposals location, design or density will minimise demand for non-renewable energy resource.

- Whether the proposed development is consistent with the Council's growth and/or development framework or strategy that addresses rural development.

### 2.2.2 Planning for Growth/Draft Spatial Plan

The Councils Planning for Growth project involves testing different options for the future development of the City. The key aim of the project is to provide a clear direction for the city that supports and enables managed growth, and that reflects the five goals that emerged from the Our City Tomorrow Engagement in 2017 (i.e. that Wellington should be Compact, Resilient, Greener, Vibrant and Prosperous, and Inclusive and Connected). The programme includes a review of the Wellington Urban Growth Plan and its replacement with a new spatial plan (which is the blueprint for where and how growth will be directed across the city). It also includes a review of the District Plan (the rule book that sets out what activities and buildings are permitted and where).

The Council undertook city wide engagement in 2019 on four different growth scenarios to accommodate requirements for future residential growth (expected to be 50,000 to 80,000 over the next 30 years). The feedback was that the community supports the retention of the compact city, which has been guiding objective to development of the City for many years - as reflected in the operative district plan provisions. In the development of the draft spatial plan, two of the key guiding principles adopted relevant to planning for the rural area are:

- Intensification in the CBD and in and around suburban centres that is cognisant of resilience and amenity concerns
- No or limited greenfield growth over and above the areas that have already been planned for greenfield (this being Lincolnshire Farm<sup>3</sup> and Upper Stebbings Valley Marshall Ridge<sup>4</sup>)

Together additional development in these areas is expected to cater for the future residential growth without the need for further expansion into the rural area either through additional Greenfield or rural residential development.

Other work streams associated with the Planning for Growth project of particular relevance to the rural area are:

- Identification and mapping of Outstanding Natural Landscapes (ONLs), Outstanding Natural Features (ONFs), Special Amenity Landscapes (SALs) and Significant Natural Areas (SNAs) across the City. The issues and options for the inclusion of these areas into the district plan is addressed in the Natural and Coastal Environment Issues and Options paper.
- A high level review of the Ridgelines and Hilltops Overlay<sup>5</sup> to clarify the relationship between the Overlay and the ONLs, ONFs and SALs across the district – to determine the future role of the Overlay in the Plan. The review recommended that the overlay be

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<sup>3</sup> Lincolnshire Farm is already identified for future residential Greenfield development through an Urban Development Area zoning and associated structure plan

<sup>4</sup> Work is underway in planning for Greenfield development in this area.

<sup>5</sup> Wellington City Council Ridgelines and Hilltops Overlay Draft Initial Review, prepared by Isthmus dated 8 April 2020

retained in the District Plan, with further work recommended to simplify the provisions and to ensure that an appropriate hierarchy (in terms of the permissibility of effects) is achieved between the Overlay and the ONLs, ONFs, and SALs as well as in relation to other more general landscape areas outside the Overlay.

- Identification of small areas of rurally zoned land within the urban fringe area (adjoining land zoned Outer Residential Area) that are not required for future residential development, but which could be suitable for rural residential or some form of low density residential development. Twenty two areas have been identified for further investigation, and a multi criteria assessment is currently underway to assess these areas further. This includes an assessment of the suitability in relation to the presence of Significant Amenity Landscapes and Significant Natural Areas (which have recently been mapped)<sup>6</sup>, hazard and contamination risks, slope angle, proximity to amenities/facilities, transport accessibility and constraints, requirements for infrastructure, landowner and current land use and development feasibility.
- Upper Stebbings Valley and Marshall Ridge Structure Plan: Council is developing a structure plan for this Greenfield land (currently zoned rural) to enable its development for housing. The structure plan will be included in the District Plan via a plan change or alternatively through the district plan review.

### 2.2.3 Te Atakura First to Zero

Te Atakura – First to Zero is Wellington’s blueprint for a Zero carbon Capital by 2020<sup>7</sup>. The strategy sets out seven ‘big moves’ for a zero carbon Wellington. The first of these “*Shaping our plan for a growing city*” reinforces the need for compact form, growing up not out.

## 2.3 Wellington City District Plan

The Wellington District Plan was prepared under the Resource Management Act and became fully operative in 2000.

### 2.3.1 Plan Change 33

The district plan provisions for the rural area (including the policy framework in Chapter 14 and the rules in Chapter 15) were subsequently amended in 2009 when Plan Change 33 : Ridgelines and Hilltops (Visual Amenity) and Rural Area (PC33) became operative.

The development of PC33 was informed by a significant level of engagement with rural landowners between 2001/2003, which led to the development of community plans for each of the Makara, South Karori, Ohariu Valley and Horokiwi area. Common themes that overlapped all the community plans were the need to maintain the rural character and natural environment, as well as community wellbeing and community involvement in decision making.

Subdivision and roading/traffic were common issues of concern. Attitudes to subdivision were mixed. Some landowners wanted the ability for further limited subdivision to assist them with their farming operations. However, the overall community were opposed to widespread lifestyle block subdivision and the District Plan was viewed as an important tool to control future development and maintain the rural character and amenity.

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<sup>6</sup> There are no ONLs in the areas being assessed.

<sup>7</sup> Our City Tomorrow, Te Atakura First to Zero, Wellington’s blue for a Zero Carbon Capital.

The outcomes sought by the rural community, as expressed in the community plans, were a key driver in the development of PCC33. The key changes implemented through the plan change were:

- Inclusion of a Rural Area Design Guide. The purpose of the Design Guide is to provide guidance to landowners on design and layout with respect to subdivision and new dwellings that will maintain the character and amenity of the rural area, as well as providing a framework for the Council when assessing proposals.
- The subdivision rules were marginally relaxed (from the previous provisions) to provide for a limited rate of subdivision most<sup>8</sup> of the rural area as a Discretionary Activity (Unrestricted), with the purpose being to provide a controlled and slow rate of change. All subdivisions are required to be assessed against the Design Guide as one of the assessment criteria.
- The rules for new dwellings, and alterations and additions that create large dwellings, were amended to require a resource consent as a Discretionary Activity (Restricted) with an assessment also required against the Design Guide.
- Inclusion of the Ridgelines and Hilltops Overlay as a 'drape' over main ridges and hilltops, and associated provisions for development within these areas to manage visual amenity.

### 2.3.2 Summary of the Operative Plan provisions

The current district plan policy framework for the Rural Area seeks to:

- Maintain and enhance the character and amenity of the rural area by managing the scale, location and rate and design of new building development and subdivisions;
- Manage the rate of subdivision to minimise fragmentation and maintain a compact city;
- Minimise adverse effect of both rural and non-rural activities; and
- Maintain and enhance landscape values, particularly the identified ridgelines and hilltops and the coastal environment.

All subdivisions (excluding boundary adjustments) require a Discretionary Activity (Unrestricted) resource consent. However, while there is a single rule zone, there is a significant variation in the rule framework for subdivisions in different part of the rural areas as follows:

- For the majority of the rural area (South Karori, Makara, and Ohariu Valley) the standards and terms specify a maximum of two lots. In addition, the parent lot must be at least 30ha, and at least five years old from the deposit of a survey plan (this is to restrict the pace of change). There is no minimum lot size.
- For the Horokiwi area, identified on Appendix 9 to Chapter 15, subdivision is more restrictive with a minimum lot size of 50ha and a limit of two lots.
- The subdivision provisions for the Bing Lucas Drive /Gladys Scott Place area within lower Takapu Valley (as identified on Appendix 2 to Chapter 15) were settled through an Environment Court Consent Order in 1998. While a minimum lot size of 1ha is required across the entire area, the northern portion has a limit of 30 lots while in the southern portion there is no restriction on the number of lots. This area has largely been fully developed in terms of these provisions.

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<sup>8</sup> Except in the Horokiwi area where the subdivision provisions stayed the same.

- Three areas on the urban fringe are zoned Rural Area but have been identified for low density rural residential development through Appendices to Chapter 15. These areas are to the west of Ohiro Road (shown on Appendix 4), land north-east of Ngauranga Gorge around Spenmoor Street (Appendix 5) and land west of Tawa (Appendix 6) and development is limited by physical and natural constraints. In these areas flexibility with design solutions was provided for with no set minimum lot size within these areas or any limit on the number of lots, to enable the best environmental outcomes taking into account the constraints of the sites. Applications are assessed on a case by case basis against the Rural Area Design Guide and need to demonstrate that the proposed development is sensitively designed and retains the non-urban character of these areas. The suitability of these areas for low density residential development is being revisited as part of the review of urban fringe areas currently underway, including in relation to the recent identification of areas of SNA with parts of these appendices.

Provision for rural activities<sup>9</sup> and associated accessory buildings and structures is permissive (subject to standards), other than goat farming (Controlled Activity) and factory farming (Discretionary Activity (Unrestricted)).

In terms of non-rural activities, provision is made for work from home and small clean fills (less than 100m<sup>3</sup> in volume per title per year) as a permitted activity, however, all other non-rural activities require a resource consent as a Discretionary Activity (Unrestricted).

Within the small settlements of Makara Village and Makara Beach, identified in Appendix 8 to Chapter 15, the construction, or alteration or addition to residential buildings is permitted on allotments under 1200m<sup>3</sup> provided the bulk and location rules for the Outer Residential Area are met - with a default of Discretionary Activity (Restricted). Elsewhere, the alteration and additions to residential dwellings and the construction of accessory buildings is permitted, with a default of Discretionary Activity (Restricted) where the permitted standards are not met. However, all new residential buildings require a resource consent as a Discretionary Activity (Restricted) with an assessment against the Design Guide.

Some home based visitor accommodation in existing dwellings is allowed through the definition of 'Residential Activity' in conjunction with permitted Rule 15.1.1, provided that the accommodation is provided on a daily tariff and the number of travellers does not exceed 4 persons.

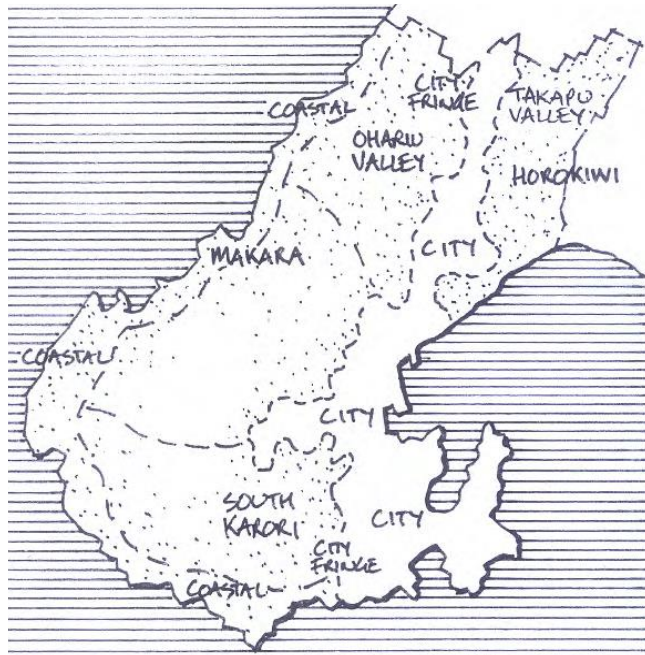
## 3 The Rural Area

### 3.1 Description

The rural area makes up approximately two-thirds of the land area of Wellington City. The rural population is estimated to be around 2000 residents (approximately 1% of the total population of the City). Different areas within the rural zone are shown in Figure 1 below (this being Takapu Valley, Horokiwi, Ohariu Valley, Makara, and South Karori).

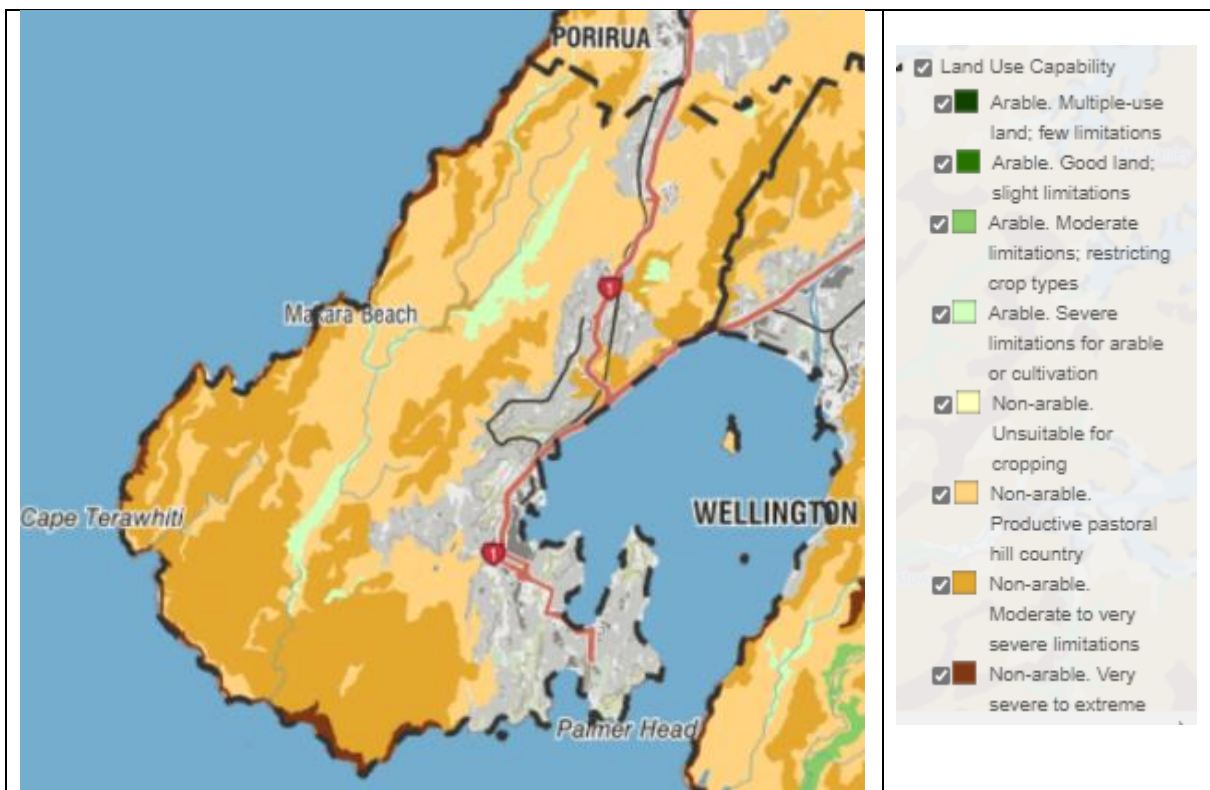
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<sup>9</sup> *Rural Activity: means primary production activities including horticulture, silviculture, and pastoral farming, but excluding top soil stripping, turf farming and quarrying.*



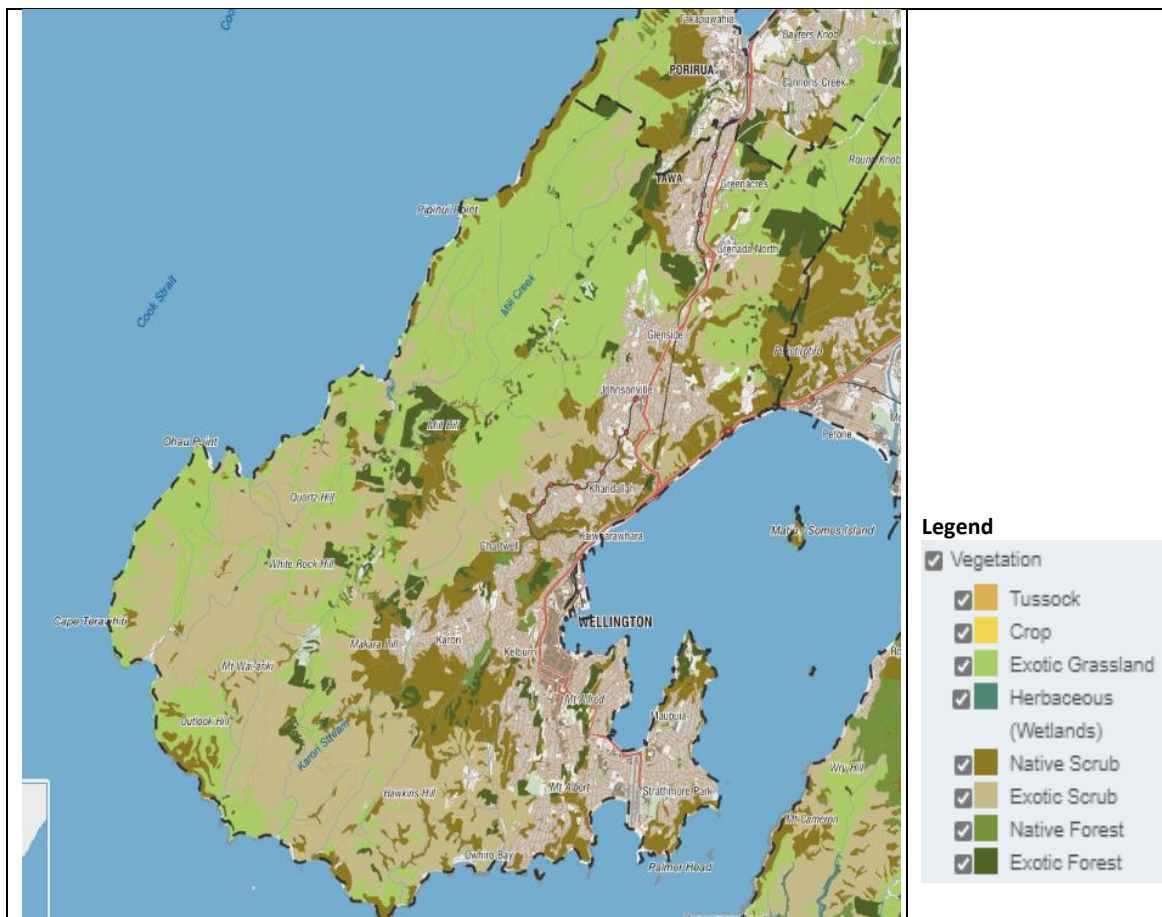
**Figure 1: Extent of the Rural Area**

As demonstrated in Figure 2 below, the city does not have any areas of highly productive soils suitable for arable use with few limitations. Most of the land area is equally divided between non-arable, productive pastoral hill country (10,766ha) and non-arable with moderate to severe limitations (9,771ha).



**Figure 2: Land use capability (source Manaaki Whenua – Landcare research)**

Vegetation is predominantly grassland (9,232ha), with 7,600ha of exotic scrub, 4,255ha of native scrub and 1543ha of exotic forest. Farming is generally limited to sheep and beef with small areas of commercial forestry.



**Figure 3: Vegetation cover (Source Manaaki Whenua – Landcare Research)**

The rural area has important landscape values for the City as a whole and is valued for its remoteness, naturalness and low density built form.

Parts of the rural area, particularly around Makara, Ohariu Valley and South Karori also have important recreational values providing walking, cycling, tramping, horse-riding and other outdoor adventure activities in close proximity to the City. Other land uses include scattered lifestyle blocks and hobby farms, wind farms, several private function venues, small scale accommodation facilities and conservation activities.

An area of established lifestyle blocks is a feature of the land adjoining the northern motorway at the southern end of Takapu Road (around Bing Lucas Road/Gladys Scott Place), and within the Horokiwi area (around Hillcroft Road).

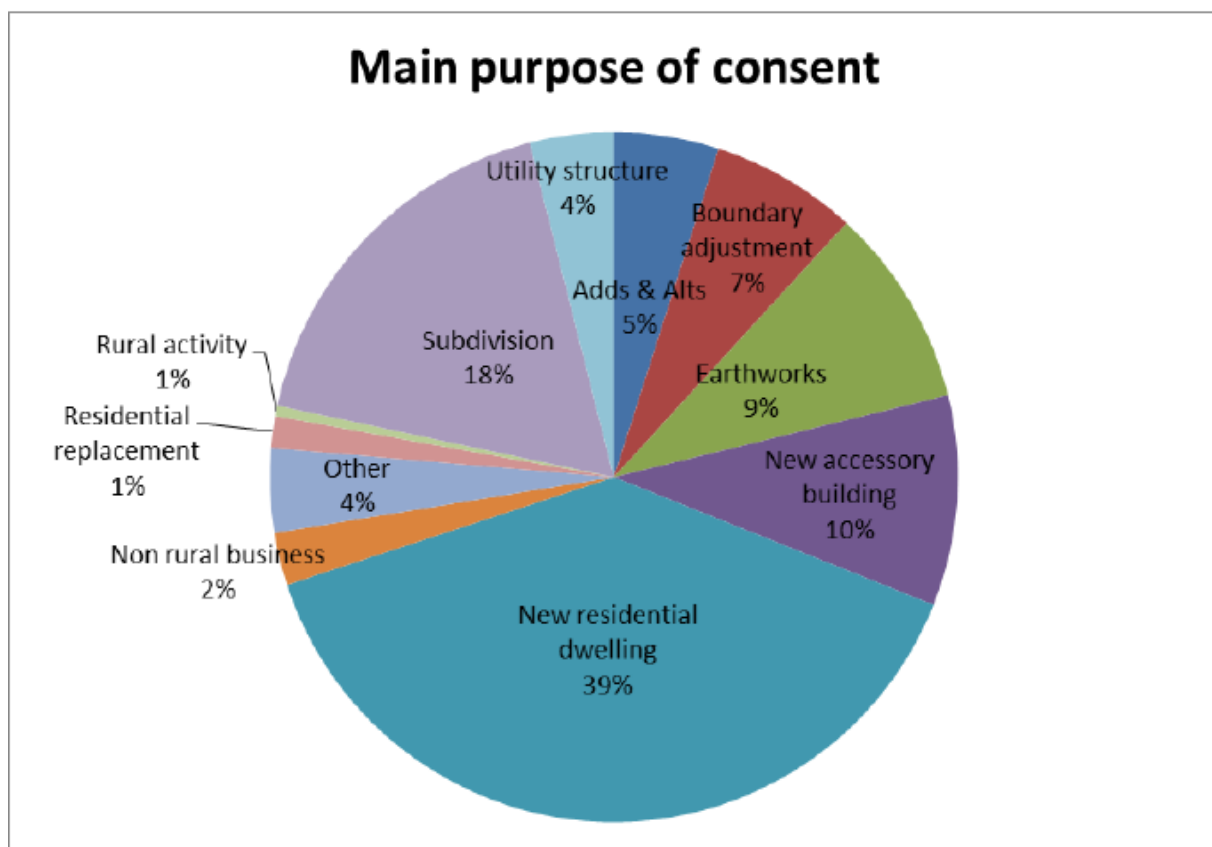
Two small clustered settlements exist, one at Makara Beach and the other being Makara Village. The Makara beach settlement is in a low lying area that has been identified as being at risk of sea level rise. Council in consultation with the local community has agreed to carry out some resilience works that will provide for protection for approximately 50 years. Therefore, there are no plans in the short term to relocate this community.

The rural roads are generally narrow (one way in places) and windy with poor visibility. In conjunction with the steep topography, in their current form they provide a constraint to residential development in some areas.

### 3.2 Development in the Rural Area

In 2019 the District Plan team prepared a monitoring report on the resource consent activity that had taken place in the Rural Area in the 6 years between January 2013 and March 2019. There were a total of 203 resource consents during this period i.e. an average of 34 consents per year. This is similar to the rate of applications for the period 2002 to 2014, with approximately 500 consents applied for (i.e. an average of 42 consents per year).<sup>10</sup>

The mix of the types of activities is shown in Figure 4 below.



**Figure 4: Main purpose of resource consent (source 2019 Monitoring Report)**

The majority of the applications were for new dwellings. The specific number of new dwellings for each area and the average rate per year is provided in the table below:<sup>11</sup>

<sup>10</sup> District Plan Monitoring programme, Analysis of Rural Area provisions, May 2014

<sup>11</sup> It is noted that there were an additional 480 dwellings approved in the Rural Area within Churton Park, and Newlands through five applications. These have been excluded as they were approved under the Housing Accords and Special Housing Act 2013.

Area	No of consents for new dwellings 2013-2019	Average per year (rounded)
Ohariu Valley	11	2
Makara	17	3
Karori	8	1
Takapu Valley	3	less than 1
Brooklyn	32	5
Owhiro Bay	2	less than 1
Newlands	14	2
Woodridge	11	2
Tawa	8	1
Horokiwi	5	less than 1
Glenside	1	less than 1
TOTAL	112	

Nine of the resource consent applications for dwellings were for second dwellings on the same site.

Area	No of subdivision 2013-2019 <sup>12</sup>	Average of consents per year (rounded)
Ohariu Valley	40	7
Makara	23	4
Karori	7	1
Takapu Valley	7	1
Brooklyn	43	7
Owhiro Bay	Nil	N/A
Newlands	54	9
Woodridge	13	2
Tawa	2	less than 1
Horokiwi	Nil	N/A
Glenside	Nil	N/A
Owhiro Bay	Nil	N/A
Total	189	

Overall, the monitoring data for the last 6 years shows that the rate of subdivisions creating new house lots and the applications for new residential dwellings is low. This is also consistent with the findings of the monitoring report for the period 2002 – 2014.<sup>13</sup>

There have been few consents (only five) for non-rural business activities, with three of these being for dog kennels or day care facilities.

## 4 Key Issues & Options

This section of the report identifies key issues related to the rural area, followed by consideration of options to address the issue, before confirming a preferred option and further work to be undertaken (if required).

The issues have been identified and informed by the Monitoring report and discussions with officers in the Resource Consent and Parks Teams.

<sup>12</sup> Excludes 523 lots created in Churton Park and Newlands under the Housing Accords and Special Housing Act 2013 (HASHA)

<sup>13</sup> District Plan Monitoring programme, Analysis of Rural Area provisions, May 2014



## **Issue 1: Is the Existing Policy Approach Still Appropriate?**

### **4.1.1 Summary of Issue**

The maintenance and enhancement of rural character and amenity, and minimising land fragmentation to maintain a compact city (a long held Council policy), are central to the current policy framework in the District Plan. To achieve this the rules are tailored to only allow a slow rate of rural residential development, and applications for subdivisions and new dwellings must be assessed against the Rural Area Design Guide.

The issue of whether the District Plan should accommodate a greater degree of rural residential development than currently provided for is expected to arise during the course of the district plan review. Feedback from the Resource Consents team is that opinions within the rural community on this issue are divided, with some wanting a greater rate of development while others oppose it.

The existing compact city objective has been reinforced through the Our City Tomorrow public engagement being one of the five goals for the City. This approach also clearly aligns with the direction of the Regional Policy Statement, in particular Objective 22 and Policy 55 around a compact, well designed and sustainable urban form. Further, Policy 56 requires consideration of rural areas in a district plan review as to whether aesthetic or open space values will be reduced, and whether the proposed review of the district plan is consistent with the relevant Councils growth or development framework.

The review of the development that has occurred since 2002 through the Councils monitoring programme indicates that the overall rate of new residential development within the rural area (outside some areas on the fringe where development has been consented under the Housing Accords and Special Housing Areas Act) has been low and consistent with the aim to allow limited change that maintains rural character and amenity and a compact city.

### **4.1.2 Options**

Amendment of the policy framework to allow a significantly greater degree of rural residential development would be inconsistent with the strategic direction of a compact city, which is included in the draft Spatial Plan. Further, the requirement to maintain and enhance the rural character and amenity gives effect to s7(c) and Policy 56 of the RPS which requires particular regard to the aesthetic and open space values in rural areas. Accordingly, no other alternative option to the status quo is considered appropriate at this time.

### **4.1.3 Preferred Option**

Retain the status quo.

### **4.1.4 Further work required**

- Review the draft spatial plan once released to confirm the retention of the existing policy approach.

## **4.2 Issue 2: Effectiveness of the Single Rural Zone**

### **4.2.1 Summary of Issue**

Currently the District Plan has a single Rural Area zone. This blanket rural zoning does not reflect the diverse range of areas that fall within the rural area. For example, the same Rural

zoning (although with some rule variations) applies to the large blocks of isolated and rugged land in the Makara/Ohariu Valley and South Karori areas, the small settlements of Makara Beach and Village, the existing rural lifestyle areas that have developed around lower Takapu Valley and Hillcroft Road in Horokiwi), and the urban fringe areas which are more urban in character than rural.

To accommodate these variations within one zone, different rules covering subdivision and residential buildings have over time been incorporated into the district plan to deal with the different characteristics and development of the areas. The primary way of identifying where different rules apply has been to delineate them on maps, which are included as Appendices to the Chapter. This has in effect created pseudo zones and a lack of clarity around where the specific provisions apply, particularly when the ePlan maps are being relied upon (as the Appendix areas for the rural zone are not shown on them). The need to simplify the Rural Chapter with the removal of the Appendix areas, and the associated provisions, was the main issue identified in discussion with the Resource Consents team.

One of the Appendix areas, this being Appendix Area 2 (Bing Lucas Drive/Gladys Scott Place) is now essentially redundant, on the basis that this area has been fully developed to that allowed through the associated site specific rules.

#### 4.2.2 Options

An alternative approach that has been adopted in other district plans, including in adjacent Council areas, is to use a range of zones to manage variations in the rural area. For example, the draft Porirua District Plan replaces a single Rural Zone with a General Rural Zone, Rural Lifestyle zone, and a Settlement zone over the rural village settlement of Pauatahanui. Hutt City has a General Rural Activity Area, a Rural Residential Activity Area, and a Hill Residential Activity Area and a Landscape Protection Residential Activity Area which cover hillside areas on the urban fringe.

The introduction of more targeted zones would clarify the character, role and function of the different areas. This would also provide an opportunity for the Appendix areas and associated provisions to be absorbed into an appropriate zone chapter, providing more coherent and streamlined provisions for the general rural area.

Potential zoning options available under the National Planning Standards include:

Zone Name	Description
General Rural	Areas used predominately for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Production	Areas used predominately for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Lifestyle	Areas predominantly for residential lifestyle activity within a rural environment on lots smaller than those of the General Rural and Rural Production zones, while still enabling primary production to occur.
Settlement	Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

Large residential lot	Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low Density Residential and General Residential Zones, and where there are particular landscape characteristics, physical limitations or other constraints.
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A Rural Production zoning is not a viable option for the rural area in Wellington as the land is not highly productive as shown by Figure 3 above.

As an alternative to the current single 'one size fits all' Rural Area zone, potential zone options could include:

- Any urban fringe areas that are subsequently identified through the assessment currently underway as suitable for limited residential development could be re-zoned to Large Lot residential or alternatively Rural Lifestyle. As previously noted the assessment includes revisiting the suitability and potential for development in the urban fringe areas - located within Appendices 4, 5 and 6.
- Already established rural residential development in the Takapu Valley (as identified within Appendix 2) and around Hillcroft Road in Horokiwi could be rezoned to Rural Lifestyle or Large lot residential to reflect the low density residential development that already exists in these areas.
- Makara Beach and Village could be zoned Settlement, or alternatively the different characteristics in these areas could be managed as a precinct within a General Rural zone.
- The remainder of the Rural area to be zoned General Rural.

#### 4.2.3 Preferred Option

Use specific zones to manage the variations in the character and potential use of the rural areas, rather than retaining a single Rural zone and accommodating differences in areas through the inclusion of Appendix areas. The selection of the appropriate zones will need to be informed by the following further work:

#### 4.2.4 Further work required

- Completion of the urban fringe area assessments to identify any possible areas on the urban fringe that could be suitable for low density or rural residential development.
- A stocktake of the areas already developed for rural lifestyle in Takapu Valley and Horokiwi to better understand the size, ownership and current land use.
- Further investigation to understand how the Takapu Valley area in Appendix 2 has been developed in regard to the site specific provisions, the reasons behind /for the imposition of the Environment Court Order and if those reasons are still applicable.
- Collaboration with Natural Hazards work stream in relation to the future zoning and provisions required for Makara Beach, where there are sea level rise and flooding issues that specific rules.

### 4.3 Issue 3: Effectiveness of the Rural Area Design Guide

#### 4.3.1 Summary of Issue

The Rural Area Design Guide was introduced through PC33 to achieve good design outcomes with respect to new residential buildings and subdivision design and layout, as a key means of maintaining the character and amenity of the rural area. The Design Guide provides a set of principles, and the extent of compliance with the Design Guide is one of the assessment criteria

against which the merits of a subdivision or new dwelling resource consent application are assessed. Other alternatives to the current approach considered at that time included incorporating the design principles into specific assessment criteria, or reliance wholly on rules to achieve the outcomes sought.

Feedback from the Resource Consents Team is that the Rural Area Design Guide has been effective and should be retained, as one of the many Design Guides currently implemented by the Council.

However, while retention of the Design Guide is supported, several issues identified with the content are as follows:

- There is no clear guidance as to what level of development may be appropriate within the urban fringe Appendix areas, which are more residential than rural in character.
- Section 10.0 Providing for Change contains guidance around the configuration of subdivisions in city fringe areas where urban expansion may occur over time. The need and appropriateness of this guidance requires review as the Greenfield areas for future growth are now being specifically identified and protected through UDZ zones, and planning within them managed through structure plans. Further, there has been some confusion as to whether this section applies to the Appendix areas, in the absence of specific guidance for these areas.
- The Site Analysis requirement in section 2.0 is not generally undertaken/provided to the Council as envisaged. The need for and scope of this requirement needs to be reassessed.
- The Design Guide applies to the rural area generally, with no specific guidance in relation to development in the Ridgelines and Hilltops Overlay. The need for specific guidance around appropriate development in the Ridgelines and Hilltops overlay needs to be assessed in conjunction with the rule framework.

#### **4.3.2 Options**

On the basis of the internal Council feedback, it is recommended that the Rural Design Guide be retained as a key means of maintaining the character and amenity of the rural area i.e. status quo. However, the content of the Design Guide needs to be reviewed in relation to the matters highlighted above.

#### **4.3.3 Further work required**

- An independent audit of the outcomes of a sample of recent consented developments to test the current view that the Design Guide approach is working well and to inform any changes required.
- Assuming that the audit supports the retention of the Design Guide, a review of the structure and content will be required. The Design Guide review will also need to take into account the final selection of zones for the rural area.

### **4.4 Provision for Goat Farming**

#### **4.4.1 Summary of Issue**

The Parks team have identified feral goats as a major environmental issue in terms of the protection of areas of indigenous vegetation within the rural area, and this will be further highlighted with the inclusion of SNAs into the new district plan. Advice from the Biosecurity

Specialist in the Parks team is that the feral goat issue has arisen in part due to stock from a former large goat farm being left to roam when economic viability fell, in the absence of adequate fencing in place. The Council employs a professional hunter and around 400 goats are cleared on a yearly basis.

Rules around the keeping of goats are necessary to support the Council's work on removing feral goats, to ensure that future goat farming does not contribute to the existing feral goat problem.

Goat farming in the operative plan is defined as *"the keeping of 10 or more goats on a single site"*. This activity is a controlled activity (i.e. consent cannot be refused) under Rule 15.2, applies across the entire rural area, with the matters over which the Council has reserved control being:

- *The means of ensuring goats do not escape from the farming operation; and*
- *The method of owner identification.*

Matters that need to be addressed in the district plan provisions for the keeping of goats, as identified by Council's Biosecurity Officer, include:

- *Suitable fencing is a must, strict guidelines around this should be in place especially since consents can't be turned down and with the possibility of it being close to a SNA site....*
- *In terms of stock identification, I would suggest a physical external identifier. Currently under the bylaw it states that a microchip is sufficient, but this limits our ability to take action against goats that move out. (Bottom line is that we can identify if it is a farmed goat or not from a microchip). An ear tag with a number or similar is what is needed.*
- *The exit strategy would be crucial and one of the primary things to consider (mainly since this is what we are dealing with in our current state)*
- *I agree with annual check of fences and stock numbers and reporting on these (basic farming practice)*
- *Procedures for reporting would be good to identify and work through.*

Clearly, in its current form the provision for goat farming does not address all these matters.

Examples of approaches taken in District Plans include:

#### Proposed New Plymouth Plan

Goat farming is a controlled activity where goats are kept within 2km of Egmont National Park and areas of land administered by the Department of Conservation as identified on the planning maps. The matters of control include:

- Effects on natural character and the significance of indigenous vegetation and habitat
- The suitability of fencing for containing goats, having regard to a fencing standard specified and the nature of the terrain
- Annual inspections and reporting to the Council
- Annual reporting of stock numbers
- Procedures for reporting breaches of the fence and escapes
- Methods of disposal of stock if farming ceases.

Goat farming is not defined in this plan.

#### Proposed Opotiki District Plan

Goat farming is a permitted activity outside goat management areas (identified on the planning maps) provided that:

- The goats are formally identified in accordance with the Tracing Act 2012, but must include the tagging with recognisable owner identification.
- They are contained on site at all times by either a boundary fence (in accordance with a fencing standard), or alternatively tethered; and
- Written advice of the location of the goat farming activity shall be provided to Council at the time of the establishment of the goat farming operation

Inside the goat management areas goat farming is a discretionary activity. Goat farming is not defined.

#### **4.4.2 Options**

Because of the extent of the feral goat issue in the Wellington area, it is considered alternative options of either reliance on a non-regulatory approach (such as education of landowners), or on the existing bylaws<sup>14</sup> does not provide the Council with sufficient ability to control goats.

The existing Controlled Activity rule is limited in terms of the matters over which the Council reserves their control. In particular, there is no guidance as to acceptable fencing, or ability to impose conditions with respect to monitoring and reporting on the state of the fences, goat numbers and breaches of the fence, or the disposal of goats should the operation cease. Consideration of the expansion of matters of control and specific guidance around appropriate fencing is recommended similar to that required in the Proposed New Plymouth District Plan.

It is noted that the Proposed New Plymouth and Opotiki District Plans restrict goat farming in specified areas, rather than across the entire rural area. The advice from Council's Biosecurity Officer is that the existing approach of applying the controlled rule across the entire rural area should be retained. This is because goats have the ability to move across vast distances and the Wellington rural area is relatively small.

#### **4.4.3 Preferred Option**

That the existing approach of requiring a controlled activity resource consent for the keeping of 10 or more goats be retained, however, that the matters of control should be expanded and a fencing standard introduced.

#### **4.4.4 Further work required**

- Develop an appropriate fencing standard and matters of control in collaboration with the Parks, Sport and Recreation team and the Natural Environment work stream.

### **4.5 Adequacy of the provision for buildings and activities for Tangata Whenua**

#### **4.5.1 Summary of Issue**

Policy 14.2.11.2 seeks to:

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<sup>14</sup> Wellington Consolidated Bylaw 2008, Part 2: Animals

*Provide the opportunity for establishing marae, Papakainga/group housing, Kohanga reo/language nests or similar activities in Rural Areas that relate to the needs and wishes of tangata whenua and other Maori, provided that environmental conditions are met.*

There is a clear disconnect between this policy and rules with no specific provision for any of these activities or buildings in the rural area, all of which would trigger a resource consent for a Discretionary Activity (Unrestricted) under the catch all rules for non-rural activities and buildings.

#### **4.5.2 Options**

Further work is required

#### **4.5.3 Preferred Option**

Further work is required

#### **4.5.4 Further work required**

- Collaboration with the Mana Whenua work stream, which is leading the engagement with mana whenua, is needed to identify the appropriate provisions and where they would be located within the Plan.

## **5 Conclusion**

This issues and options report explores issues with the existing provisions for the Rural Area. This is based on a review of the legislative and statutory context, discussion with the Resource Consents and Parks teams and an analysis of the recent monitoring data.

The feedback to date indicates that on the whole the rural provisions are working as intended. This includes a low rate of subdivisions and new dwellings, and their design and location generally maintaining the character and amenity of the rural area - through a combination of rules and the application of the Rural Area Design Guide. Further the existing policy approach in the operative district plan i.e. minimising land fragmentation to maintain a compact city and the maintenance and enhancement of rural character and amenity remains relevant in terms of the Regional Policy Statement and the goals that emerged from the Our City Tomorrow engagement which have guided the development of the new Spatial Plan.

The main issue requiring further work is around the current blanket rural zoning over the entire rural area, which in reality has significant variations in character. This has led over time to the inclusion of Appendix areas and associated rules to deal with these variations which has resulted in ad hoc provisions and uncertainty as to the role and function of the areas. This report provides alternative zoning approaches to be explored further.

Other issues require the amendment of existing provisions, rather than a wholesale change to the current approach.

Further research is required to develop options to address the issues raised. Some of the issues have cross overs with work being undertaken by other District Plan Review work streams and this has been identified.