



BEFORE Kapiti Coast District Council

Under the Resource Management Act 1991

and

In the matter of Proposed Kapiti Coast District Plan – Living Environment

Date 6 May 2017

STATEMENT OF EVIDENCE BY CAROLINE WATSON ON BEHALF OF THE SUBMISSION MADE BY GREATER WELLINGTON REGIONAL COUNCIL

Introduction

My name is Caroline Watson. I am a policy advisor for Greater Wellington Regional Council. I have been employed by Greater Wellington Regional Council in this capacity since 2009.

I have a Bachelor of geography and environmental studies and a Masters of Environmental Studies from Victoria University, Wellington. I have processed resource consents, provided regional policy advice on notified resource consents and district plan changes, presented evidence at hearings and have resource management policy development experience.

1. Scope of evidence and Greater Wellington Regional Council's submission

- 1.1.1 The following evidence relates to a submission from Greater Wellington Regional Council (GWRC) on 01 March, 2013 on the Proposed Kapiti Coast District Plan (PDP).
- 1.1.2 GWRC's submission assessed the PDP for consistency with the Regional Policy Statement for the Wellington Region (2013) (the RPS). The assessment focussed on how the PDP fits within the regional policy framework for issues around managing urban growth whether these issues have been adequately addressed through the PDP process.
- 1.1.3 The purpose of this evidence is to provide responses to the recommendations in the Officer's Report and to highlight outstanding areas of concern.

- 1.1.4 My evidence today will:
- (a) outline the policy and strategic context of this evidence,
 - (b) summarise GWRC's submission,
 - (c) respond to the Officer's Report recommendations on the matters covered in GWRC's submission, and
 - (d) request decisions on the PDP.

2. Policy and strategic context

- 2.1.1 The RPS is a regional document that identifies significant resource management issues within the region and sets out the objectives, policies, and methods to achieve the integrated management of natural and physical resources for the Wellington region.
- 2.1.2 The RPS sets out objectives and policies that provide local authorities with direction and guidance on resource management issues that must be given effect to when making changes to district and regional plans (in accordance with section 75 of the Resource Management Act 1991 (the RMA)) (policies 1-34). The RPS also provides direction on policies that must be considered as part of resource consent application (policies 35-60).
- 2.1.3 GWRC is particularly interested in how the PDP will support and contribute to achieving the integrated management of natural and physical resources in the Wellington region.

3. Summary of submission

- 3.1.1 GWRC made a submission largely in support for the provisions related to managing urban growth in the Living Environment Chapter of the PDP.
- 3.1.2 The submission made comments and sought amendments on some policies and rules included in the Living Environment Chapter in the PDP.

4. Response to the Officer's Report recommendations

- 4.1 Policy 5.1 – Growth management, Policy 5.4 – Managing intensification, Policy 5.5 – Residential density, Policy 5.10 – Medium density housing, Policy 5.18 – Focussed Infill Precincts, Policy 5.19 – Energy efficiency and Policy 5.28 – Industrial and rural edges.**
- 4.1.1 GWRC supported policies 5.1, 5.4, 5.5, 5.10, 5.18, 5.19 and 5.28.
- 4.1.2 I support the recommendations in the Officer's Report and ask that the recommendations be accepted.
- 4.1.3 The reason for my response is that the recommendations:

- (a) support the purpose and principles of the RMA, and
- (b) give effect to the RPS, specifically policies 6, 10, 29, 30.

4.2 Rules and standards – Residential Zone and Beach Residential Zone – 5A.1 Permitted activities and 5A.3 Restricted discretionary activities.

Rule complexity

- 4.2.1 In our submission, it was noted that the rule structure is unclear in that when an activity breached a permitted activity standard, it was uncertain as to what activity status that activity would now have. For example, if a development proposed to cover an area in impermeable surfaces larger than 30% of the site, it was very difficult to then determine if this activity was now controlled, restricted discretionary, discretionary or non-complying.
- 4.2.2 The Officer's Report in Point 816 states that "an activity status that will result from a breach under Rule 5A.1 will depend on the standard breached". It also states that there would be "potential complexity" in trying to describe what rule status an activity would have if a certain standard was breached.
- 4.2.3 In my opinion the rule structure is too complex and not user friendly. I suggest that a cross-referencing column could be added to Table 5A.1 Permitted Activities. This column could show what activity status an activity would have (or which rule would be used) if a certain permitted activity standard was breached. This would lessen the complexity and make it easier to understand, which is an outcome sought by plan-wide submissions on the PDP.
- 4.2.4 The Officer's Report has recommended in Point 817 to amend the PDP to provide clarification in the introduction section under Rule 5A.0 – Applicability of rules. In my opinion, this amendment provides only limited certainty and I therefore maintain that interpretation of the rule structure for permitted activities in 5A.1 remains complex and unclear and therefore lacks certainty for applicants.
- 4.2.5 I do not support the recommendations in the Officer's Report that the interaction of standards and rules is simply too complex to clearly show what happens when a certain permitted activity standard is breached. I ask that further consideration is given to providing better clarity to activity status determination when permitted activity standards are breached in this Chapter. This would help to ensure that applicants are confident and more able to fully understand the consenting requirements and avoid having to always rely on the advice of local planning staff.

Stormwater management

- 4.2.6 GWRC also raised in our submission that we had concerns with how stormwater management is addressed in the PDP. We were concerned that if the permeable surface permitted activity standard is breached in this Chapter then stormwater management should be either a matter of control or a matter

over which Council reserves its discretion (depending on the activity status of a breach with this permitted activity standard).

4.2.7 GWRC are satisfied that all residential activities would have to also comply with the permitted activity standards in Chapter 11 – Infrastructure, which includes a requirement that stormwater systems are to be designed to provide hydraulic neutrality. As the Section 42A Report on Chapter 11 has yet to be released to submitters, it is uncertain if this provision in Chapter 11 remains. At this point, GWRC would like commissioners to note our support for this requirement for hydraulic neutrality for all permitted activities, something that is sought by the RPS in Policy 42.

4.2.8 I therefore support the recommendations in the Officer's Report in point 831.

5. Decisions requested

5.1.1 I request that KCDC notes GWRC's support for the recommendations related to Chapter 5 – Living Environment.

5.1.2 I also request that consideration be given to providing more clarity and certainty to plan users when using the permitted activity rules.



Caroline Watson