

# Kāpiti Coast District Council Proposed District Plan

## Te Ohu Taiao Workshop Notes & Actions

<b>Topic:</b>	Workshop #8 Chapter 7 Rural Environment
<b>Meeting Date:</b>	3 November 2015
<b>Venue:</b>	Rimu Room, Council Offices, Rimu Road, Paraparaumu

### Attendees

Name	Title/Role
Janeen Kydd-Smith	Chapter Lead
Mahinarangi Hakaraia	Ngā Hapū o Ōtāki Representative
Ann-Maree Ellison	Te Āti Awa ki Whakarongotai Representative
Hohepa Potini	Ngāti Toa Rangatira Representative
Michelle Conland	Planning Support for Te Ohu Taiao

### Matters discussed

Item
<p><b>1 Chapter Background</b></p> <ul style="list-style-type: none"> <li>• Objectives 2.1, 2.9, 2.10, 2.12, 2.13, 2.16 – discussed reverse sensitivity in relation to 2.16 Economic Vitality</li> <li>• 6 Rural zones, 3 precincts.</li> <li>• Various activities that the policies and rules relate to (e.g. pastoral and arable farming, plantation forestry, extractive industries and others).</li> </ul>
<p><b>2 Chapter Background – ODP</b></p> <ul style="list-style-type: none"> <li>• Single zone in ODP. Some parts of rural chapter in ODP have been put into new chapters in the PDP (e.g. network utilities, signs, natural hazards, heritage, indigenous vegetation).</li> </ul>
<p><b>3 Key SEV changes – Policies</b></p> <ul style="list-style-type: none"> <li>• Highly versatile soils and specialised soils (Policy 7.2 and 7.3) are now replaced with references to the 'productive potential of land'.</li> <li>• Policy 7.4 changed focus from protecting rural character to maintaining or enhancing it – amenity, section 7 matter of RMA.</li> <li>• Deletion of Policy 7.20 and 7.21 relating to subdivision. Policy 7.20 relates to rules which have been amended (Rule 7A.3.2 g). Policy 7.21 – boundary adjustments – policy not required for such a simple administrative matter.</li> </ul>
<p><b>4 Key SEV changes – Policies 7.17 and 7.18 Rural Eco Hamlet Zone</b></p> <ul style="list-style-type: none"> <li>• Policy 7.17 and 7.18 - Rural Eco Hamlet zone and Ngarara Precinct. Rural Eco Hamlet zone – not rural residential, between residential and rural residential in terms of lot sizes, but provides areas of open space due to avoiding interdune hollows and peaty soils. Borders urban edge of Waikanae - north of Waikanae. Encourage renewable energy, buildings designed and oriented to maximise water and energy efficiency.</li> <li>• Ngarara Precinct – relates to the Maypole development. Overlies the Rural Eco Hamlet Zone.</li> </ul>

<ul style="list-style-type: none"> <li>• <i>Pol 7.17 – deletion of i) and protect water quality ... does k) address this? Yes, streamlines the policy.</i></li> <li>• Submissions asked for changes to the policies to reflect what was in the recent plan change for this zone. The PDP changed the focus of the policies for this zone. Plan change 80 didn't have rules, so the PDP now includes the structure plan and the rules for this zone.</li> <li>• Ngarara should have a macron - Ngārara <b>(Action 9)</b></li> </ul>
<p><b>5 Key SEV changes – Extractive Industries</b></p> <ul style="list-style-type: none"> <li>• Change to Policy 7.7 is to reflect Policy 60 of the RPS and in response to Winstone Aggregates Submission.</li> <li>• <i>In part b) – should include the word ‘avoid’ along with remedy and mitigate significant adverse effects.</i> <b>(Action 1)</b></li> </ul>
<p><b>6 Key SEV changes – Plantation Forestry</b></p> <ul style="list-style-type: none"> <li>• Rules 7A.1.2 and 7A.1.3 permitted activity – 20 metres setback for planting. Submitters concerned that this takes too much land away. <i>Perhaps 10m would be sufficient. Actually no, trees grow to 20m and machinery used to harvest is large and could damage banks. GWRC said covered by their rules but R102 of the PNRP only relates to harvesting – no restrictions on harvesting up to the river’s edge, and to meet permitted activity rule, must be replanted within 18 months. A duplication no longer exists. Recommend retaining standard in relation to 20m within the bed of a stream for both Rules 7A.1.2 and 7A.1.3. <b>(Action 2)</b></i></li> <li>• Amendment to Rule 7A.2.2 – to delete requirement for a controlled activity for planting more than 10ha – now just for harvesting.</li> <li>• If it didn't meet controlled activity standards for Rule 7A.2.2 then became a non-complying activity. Now amended to discretionary – Rule 7A.4.2.</li> </ul>
<p><b>7 Key SEV change – Subdivision Rural Dunes Zone</b></p> <ul style="list-style-type: none"> <li>• Amend Rule 7A.3.2.3 so that minimum lot size is 4000m<sup>2</sup> rather than 6000m<sup>2</sup>. <i>Query regarding the meaning of standard 3 regarding min, max and average lot size – cannot be achieved mathematically. Janeen to check scope and background to the wording. Wording of the ODP is quite different and more logical. <b>(Action 3)</b></i></li> </ul>
<p><b>8 Key SEV change – Intensive Farming</b></p> <ul style="list-style-type: none"> <li>• Pigs, poultry, etc kept in pens for at least 48 hours and fed supplementary feed while confined. <i>Supported</i></li> </ul>
<p><b>9 Key SEV changes –Rural Eco Hamlet Zone Rules</b></p> <ul style="list-style-type: none"> <li>• Amendments to the permitted activity standards under Rule 7A.1.10</li> <li>• Removal of requirement for ancillary buildings to be located within 30m of residential buildings on the same site – trying to achieve clustering. Determined no needed, so deleted requirement.</li> <li>• Building setbacks have been halved. Consistency with setbacks in Rural Zone. Constrained by where they can locate anyway.</li> <li>• High Voltage Transmission Lines – lines go through middle of Waikanae North Eco Hamlet development. Reduced to be consistent with NES.</li> <li>• <i>So UTV doesn't apply Rural Eco Hamlet Zone – no because rural, not reticulated</i></li> <li>• Rule 7A.3.2.6 Restricted Disc activity – amendments to subdivision standards. <ul style="list-style-type: none"> <li>- Lot size reduction. East and West side due to expressway. Average minimum lot size reduced to 1 ha for lots with access from Greenhill Road, and 1.5ha for all other land.</li> <li>- Deletion of requirement for 60% of the total area of the hamlet to be used for grazing etc.</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>- Deletion of requirement for buildings to not be visible when viewed from neighbouring lots or public roads – not necessary.</li> <li>• Prohibited rule regarding roads on visually dominant ridgelines are now non-complying.</li> <li>• Rule 7A.5.12 re Greenhill Road deleted as expressway will be built or close too by time the plan is operative – no need for a replacement rule.</li> </ul>
<p><b>10 Key SEV change - Extractive industries</b></p> <ul style="list-style-type: none"> <li>• New Controlled Activity Rule – and amendment to SEV wording of Rule 7A.2.5 – remove the word ‘new’. If there is a new extractive industry it is a discretionary activity under Rule 7A.4.3.</li> <li>• Not accepting request for separate zoning and buffer zone</li> <li>• <i>Need to ensure that the wording of the rules means that new or existing extractives industries that are not controlled activities are full discretionary. Wording of Rule 7A.4.3 needs further refinement. (Action 4)</i></li> </ul>
<p><b>11 Subdivision – heritage features</b></p> <ul style="list-style-type: none"> <li>• <i>Rule 7A.3.2 – tangata whenua values are not one of the matters over which Council will restrict its discretion. However, heritage features are listed. Note needs to refer to subdivision in rule Chapter 10 for heritage features. (Action 5)</i></li> </ul>
<p><b>12 Key SEV change – Non-complying and Prohibited activities</b></p> <ul style="list-style-type: none"> <li>• Ancillary aspect – Janeen to check scope and clarify what is permitted in relation to industrial or commercial activities that are ancillary to primary production activities in relation to Rule 7A.4.4. <b>(Action 6)</b> <i>Support the change in status from Non-complying to Discretionary (Rule 7A.4.4)</i></li> <li>• Catch all rule was non-complying, now discretionary. <i>Support changes</i></li> <li>• Prohibited activities are now non-complying. <i>Support changes</i></li> <li>• Rule 7A.5.6 – Helicopter operations – submitters concerned that will capture normal farm operations using helicopters. Intended to be used for helicopter depots or tourist type helicopter operations (with regular flights) rather than one off uses. To be looked at further. Commercial helicopter operations is quite wide ranging.</li> </ul>
<p><b>13 Post SEV work</b></p> <ul style="list-style-type: none"> <li>• Visually sensitive ridgelines on a submitter’s property. <i>Isthmus report – is there a tangata whenua aspect to that? Probably not because it is about visual amenity. Janeen happy to make report available to TOT (Action 7)</i></li> <li>• <i>Would like ability to identify cultural values. Janeen said that ART/TWOK have had some input into Lisa’s landscape assessments. She has asked do they need to go back to ART/TWOK for further comment. If there is a report (eg. Wildlands report) then TOT would value having the conversation prior to the report being completed regarding tangata whenua considerations. (Action 8)</i></li> <li>• Rezoning of land – numerous requests to rezone from Rural to Rural Residential. Separate piece of work being done by Emily Thompson. <i>What is the difference in the zoning? 20ha lot size in rural zone. For Rural Residential average lot size is 1ha, minimum 4000m<sup>2</sup>. Eco-hamlet lot sizes are similar to Rural-Residential, but have more restrictions. In some areas, issues with access across railway line. Capacity issues at Elizabeth St. Would need to meet the criteria in Policy 7.13.</i></li> </ul>

## Actions

#	Action Description	Responsibility	Timeframe (if applicable)
1	Change to Policy 7.7 is to reflect Policy 60 of the RPS and in response to Winstone Aggregates Submission.	Janeen	

	<i>In part b) – should include the word ‘avoid’ along with remedy and mitigate significant adverse effects.</i>		
2	Rules 7A.1.2 and 7A.1.3 permitted activity – retain 20 metres setback for planting.	Janeen	
3	Janeen to check scope and background to the wording of Rule 7A.3.2.3, standard 3.	Janeen	
4	Need to ensure that the wording of the rules means that new or existing extractives industries that are not controlled activities are full discretionary. Wording of Rule 7A.4.3 needs further refinement.	Janeen	
5	Rule 7A.3.2 – Heritage features are listed as one of the matters over which Council will restrict its discretion. Therefore, the note should refer to subdivision in rule Chapter 10 for heritage features.	Janeen	
6	Ancillary aspect of Rule 7A.4.4 –clarify what is permitted in relation to industrial or commercial activities that are ancillary to primary production activities. Janeen to check scope to change.	Janeen	
7	Janeen to provide Isthmus report on Waikanae North Rural Eco-Hamlet Zone available to TOT	Janeen	
8	Input into changes in the Schedule 3.4 - landscape assessments – SALs and ONLs. Janeen to check – bringing Lisa in to discuss work on ONLs and Waikanae North in the next few weeks. This has been discussed with Carolyn in relation to the open space chapter also.	Janeen/Carolyn	
9	Ngarara Precinct should have a macron - Ngārara	Janeen/ Chapter Leads	

### Meeting Close Out

<b>Date notes issued to parties</b>	
<b>Method of Issue</b>	

# Kāpiti Coast District Council Proposed District Plan

## Te Ohu Taiao Workshop Notes & Actions

<b>Topic:</b>	Workshop #5B Kāpiti Island & Outer Islands
<b>Meeting Date:</b>	13 October 2015
<b>Venue:</b>	Kohekohe Room, Council Offices, Rimu Road, Paraparaumu

### Attendees

Name	Title/Role
Carolyn Wratt	Consultant Planner – Chapter Lead
Janeen Kydd-Smith	Consultant Planner – Chapter Lead
Mahinarangi Hakaraia	Nga Hapū o Ōtaki Representative
Ann-Maree Ellison	Te Āti Awa ki Whakarongotai Representative
Hohepa Potini	Ngāti Toa Rangatira Representative
Michelle Conland	Planning Support for Te Ohu Taiao

### Matters discussed<sup>1</sup>

Item
<p><b>1 Objectives</b></p> <ul style="list-style-type: none"> <li>• Obj 2.1 Tangata Whenua, Obj 2.2 Ecology and biodiversity, Obj 2.4 (a) and (b) Coastal environment, Obj 2.7 Historic heritage, Obj 2.9 Landscapes</li> </ul>
<p><b>2 Background</b></p> <ul style="list-style-type: none"> <li>• Zoning and mapped features in the ODP and PDP are comparable.</li> <li>• Ecological sites Sch 3.1 (pg 3-81).</li> <li>• Geological sites Sch 3.7 (pg 3-190)</li> <li>• Historic Buildings Sch 10.1 B95 and B96</li> </ul>
<p><b>3 PDP Policies and Rules</b></p> <ul style="list-style-type: none"> <li>• Ch 8: Open Space and Private Recreation Zones – Rule 8.1.4 permits activities on Kāpiti Island where they comply with the permitted activity standards under Rule 7A.1.7 in Ch 7: Rural Environment.</li> <li>• Ch 7 includes policies and rules relevant to the northern end of the island and the outer islands.</li> <li>• Ch 3 includes policies and rules relevant to the island and outer islands in terms of the ecological sites, outstanding natural landscape and geological sites</li> <li>• Policy 7.23 is specific to Kāpiti Island and the outer islands – includes protecting the islands' cultural and heritage values.</li> <li>• Rule 7A.1.4.3(c) Permitted Activity Rule – limits the maximum height of any building on Kāpiti Island to 8 metres (from original ground level).</li> <li>• Rule 7A.1.7 Permitted Activity Rule restricts the number of household units on</li> </ul>

<sup>1</sup> Te Ohu Taiao (TOT) comments are italicised.

Kāpiti Island and outer islands to a maximum of 16, including DOC buildings (that quota is already filled). Any more houses would need a resource consent. This is the same as in the ODP.

- Rule 7A.3.5 provides for papakainga housing on Kāpiti Island as a Restricted Discretionary Activity. Minimum distance no less than 6m.
- Rule 3A.2.2 requires a Controlled Activity resource consent for any buildings up to 54m<sup>2</sup>, up to 6m high and constructed using materials (excluding glazing) that are non-reflective and recessive. Outstanding Natural Landscape requirement.
- Larger buildings require Restricted Discretionary or Discretionary resource consent under Rules 3A.3.6 and 3A.4.1.
- As most of Kāpiti Island and the outer islands are located within Ecological Sites, any buildings and earthworks located within 20m (but no closer than 10m) of the boundaries of Ecological Sites are Controlled Activities under Rule 3A.2.3
- The construction of any buildings and earthworks in, or within 10m of, Ecological Sites is a Discretionary Activity under Rule 3A.4.5.
- Industrial and Commercial Activities within the Open Space (Conservation & Scenic) Zone are Non-complying Activities under Rule 8.5.4.
- Within the Rural Dune Zone industrial or commercial activities that are not home occupations or ancillary to primary production activities are non-complying under Rule 7A.5.8.

Rural Dune Zone Chapter 7 (pg 7-2) Policy 7.14

#### **4 Submissions**

- The zoning of Kāpiti Island and outer islands be retained.
- The restriction of no more than 16 households be retained.
- That a new rule be added in Ch 7 specifying that helicopter flights to/from Kāpiti Island is only permitted for emergencies.
- The DoC reserve and the small 1ha square at the northern end of Kāpiti Island be excluded from the Rural Dune Zone, and rezoned as conservation reserve/zone.
- Commercial accommodation, including homestays, and any other commercial activity on Kāpiti Island be prohibited.
- Department of Conservation (Submission #202) requested amendment to Rule 7A.1.7.3 to include reference to mustelids (in addition to Rodents and Animals)

#### **5 Key SEV changes**

- Deleted Controlled Activity Rule 3A.2.2 – Buildings in Outstanding Natural Landscapes – replaced with new Permitted Activity Rule 3A.1.8 Considered that compliance with Permitted Activity Standards (e.g. buildings no greater than 54m<sup>2</sup> gfa and no higher than 6m) will ensure that landscape and visual effects are minor.
- Discretionary Activity Rule 3A.4.5 – Buildings and development in and within 10 metres of an ecological site, which is not a controlled activity under Rule 3A.2.3 – amended in SEV to apply to buildings and development within 5 metres of an ecological site. Considering amending rule further to only apply to buildings and development that is ‘in’ ecological sites.

*Mahinarangi asked if that was because the sands shift and bones with the sands can shift with them? Janeen said no, just more about a buffer to protect the ecological sites.*

A reference group is being set up to look at ecological sites more closely. DOC and federated farmers want to be included. *Do iwi want to sit within the reference group or outside of it (Action 1).*

<ul style="list-style-type: none"> <li>Deleted Controlled Activity Rule 3A.2.3 – buildings and earthworks on sites containing an ecological site where buildings are located within 20 metres of the ecological site boundary in rural and open space zones. Consider that the rule is not necessary, given the proposed amendment to Rule 3A.4.5. <i>However, Mahinarangi noted that rule 3A.4.5 doesn't include earthworks – refers to development instead. Check definitions (Action 2).</i></li> <li>Deleted Non-complying Activity Rule 7A.5.8 – industrial or commercial activities which are not home occupations or ancillary to primary production activities in all Rural Zones. Replaced with a new Discretionary Activity Rule 7A.4.4. <i>Supported</i></li> </ul>
<p><b>6 DOC Reserve at Northern End of Kāpiti Island</b></p> <ul style="list-style-type: none"> <li>Kapiti Island Watching Interest Incorporated (Submission #175) and the Pharazyn Charitable Trust (Submission #230) have requested that the DOC reserve and the small 1ha square at the northern end of Kāpiti Island be excluded from the Rural Dune Zone, and rezoned as conservation reserve/zone.</li> <li>DOC said due to the reserve overlay changing the zoning to Open Space zoning probably isn't essential and Ngāti Toa should be provided the opportunity to comment.</li> <li>Would be managed under the Reserves Act 1977 rather than the RMA – <i>what does that mean?</i> Currently there is a Kāpiti Island Public Reserve Act 1897, and a conservation management plan but it only relates to the water (marine reserve). If there was a management plan for the northern end it appears that it would override the district plan.</li> <li><i>Early thoughts of TOT are that the status quo is the preferred way, but seek response from Ngāti Toa. Need to discuss with Ngāti Toa and defer to Ngāti Toa's co-management committee (Action 3).</i></li> </ul>

## Actions

#	Action Description	Responsibility	Timeframe (if applicable)
1	Do iwi want to sit within the ecological site reference group or outside of it?	Stephen Daysh, TOT	5/11/15
2	Check definitions of development re the deletion of Rule 3A.2.3, and reliance on Rule 3A.4.5.	TOT	2/11/15
3	Seek comment from Ngāti Toa on changing zoning for northern end of Kāpiti Island.	Hohepa	By year end

## Completed Actions

#	Action Description	Response
1	Do iwi want to sit within the ecological site reference group or outside of it?	Yes, TOT will participate in the Submitter Reference Group meetings as KCDC's expert advisors. Discussions are ongoing with Te Runanaga o Ngāti Toa regarding their involvement as submitters.
2	Check definitions of development re the deletion of Rule 3A.2.3, and reliance on Rule 3A.4.5.	TOT
3	Seek comment from Ngāti Toa on changing zoning for northern end of Kāpiti Island.	Hohepa

**Meeting Close Out**

<b>Date notes issued to parties</b>	28 October 2015
<b>Method of Issue</b>	Email