

SECTION 32 REPORT

PLAN CHANGE 23, HAURAKI GULF ISLANDS

APPENDIX A: SUMMARY OF ISSUES RAISED AT WORKSHOPS

Technical Matters

Rolling Review What is part 6B

Issues

- Development in tourist zones 14 & 25 - site coverage < 45% - to get to work need to do unit titles
- Arbitrary lot size – generally
- Minimum lot size 1500m²
- Catchment Plans - need to look ahead - Barrier - history of landlocked properties - need access into these - stormwater/wastewater -
- Average vs minimum lot sizes
- Hierarchy in p. not'n and submission - standing of very parties
- Creative approach
- Villages
- RMA processes (R/D / D etc)
- Transparency & inclusivity of community
- Earthworks
- Landscape Controls
- Disposal
 - ACC guidelines ACC/lot sizes etc. & TP 58
 - land use vs subdivision
- District Plan rules - Fundamental ecological baselines/principles - these are being overturned.
- Monitoring DP and effects on environment, cultural/heritage issues
- Subdivision Rights e.g. helicopter landings rights - can they carry with the land after subdivision
- Should review being taking place now in advance of land uses.
 - What is subdivision
 - (Subdivision is a precursor to development)
- Land Unit 22 - objectives/philosophy etc.
- Appraisal on outcomes ► Monitoring
- Individual property rights/civil rights

- Subdivision on multiply owned land. Use of land – multiple dwellings/visitor facilities. Next session > rules - general vs individual.
 - Over-regulation
 - Skyline development (Part 6B)
 - Density/intensity
 - Building coverage on large lots
- Natural Hazards – eg fires
- Relationship with ARC Growth Strategy
- Relationship with NZ Coastal Policy Statute
- Status Quo/Managed change
- Political mandate – ambiguity – consistency of interpretation
- Environmental landscape protection – no follow up of environmental protection – creation of conservation areas – the care of these areas is not followed up (putting conditions on consent)
- Technical and compliance issues

Brian Handysides – OH

- RMA – needs addressing – high costs – over regulation >
- Dual Responsibility ACC and ARC – arbitrary thresholds

1 Subdivision vs Land Use – Ross Miller

- Creation of lots for someone else to develop becoming less. More development based. Cluster developments, this is important aspect – how you give title less important re RMA
- Is subdivision neutral – *Owen McShane*
- Only lives on paper –
- In cases where people are doing subdivision – creating potential for something to take place. Needs to have consideration at time of subdivision.
- Wouldn't it depend on number of owners. Effects of unit title development – build then sold off – no greater effect
- Subdivision creates pecuniary interest – unrestrained
- At time of development > this is where inc. occurs
- Urban Villages – Urban Village Forums
 1. ...
 2. Urban Code
 2. Architects Code
 3. Public Spaces
- Fooling ourselves if say subdivision neutral – it is where value inc
- Cluster housing – no reason not to apply as non-complying
- 1 owner vs 20 not the issue

- Adv. Unit title/rental – noise, graffiti – stake
- Diff guest house/visitors' facility
- Can one subdivide off a guest house?
- Discussion document covers Greenfields. Would prefer environmental focus for Greenfields site
 - Development already got approval
 - Greenfields without development
- Use provisions but bundle together rights for subdivision
- Certainty doesn't exist because of interpretation problems
- RMA – unless rule in Plan?
- Subdivision – Resource Consent, presumption that you need a R/C

2. Planning Process – Conway Stewart

- Acts – is there a Section 32 analysis – monitoring
- To say need review of subdivision?
- Monitoring – hasn't been done well in past
- Nat'/Reg' Regulations/Acts – OP – not inconsistent with RI Growth Strategy – Has identified Waiheke for intensification
- Any difficulties?
- A lot is general – eg landscapes, what is significant?
- Need more input as to what is significant
- Importance of consultation with local community
- Prescriptive Allowances – eg lot size minimum
- Have a problem with this – as discretion > community input – notgn
- This community input needs to be at an earlier stage
- Vacuum –
- Neighbours need to be involved before the developer buys the land
- Process may not be rich enough, eg garages at Matiatia
- Fire – mineral based buildings > Fire as a natural hazard (dictates width of roads for fire trucks)
- Increase in infrastructure – carry up capacity of land > land use
- Stormwater etc. Don't have infrastructure of City
- What areas do we want to intensify?
- R(D) – freeing up > less neighbour information
- Waiheke has no one character. How objectives for Land Units is drawn up, different things for different parts of it
- Should infrastructure be looked at in LU or subdivision

- Infrastructure problem – development will make it worse > fundamental problems
- Philosophical etc. Villages/Buffers – upgrade of ferries etc., whole style has been changed
- Big picture / LU has not been resolved, subdivision getting down to details – will run into a lot of flack

3 Landscape – Ross Miller

- Average, not minimum, lot size to encourage clustering
- Performance standards and criteria rather than minimum/average lot sizes – certainty is there. Greenfields/vs other development
- Practical difficulties – who fixes limit of the rule.
- Boundary issues
- TB 59 – etc – written in 1994, things have changed since then, can accommodate more
- Constraints – Wastewater can't be the driver, eg character
- Don't like subjective rules –
- Could set list of performance criteria, would have to bring in Land Use components, as well as subdivision > development
- Don't want to create rich man's playground, value its diversity
- Some elements in Plan endure – others need review/refinement
- Other controls affect development on Island, eg Regional Plans
 - Structurally there is a vacuum
 - Ratepayer/Association groups
 - Not Land Units
- Community Association by Community or Land Units
- Baltimore City model
- Council will be proactive in Planning – this is not being adhered to

4 Landscape – Heritage / Cultural

- | | |
|----------|---|
| Refresh | Auckland – built and cultural heritage
Current Plan only has a cursory look at it |
| Cultures | (Many disparate goals) – over regulation |
| 25 Zones | Get people to address and give feedback
Regulations cause conflicts
Neighbours consent rule has caused a lot of conflict (gives power to neighbour (blackmail etc)) |
- Adversarial or consensus structure - seeking common good
 - Fault in RMA – Notification – non-notification – should be an onus on?
 - If dialogue occurs before development - Dialogue re incentives

- Adversary / conflict at moment – there is a lot that Council can do to free up this conflict. R(D) would free it up
 - Process:- Community develops dialogue
- **CS** Surprised not a controlled activity status proposed
 - (C) sets up – info requests
 - R (D) sets out tests
- May be some areas on Waiheke where C may be suffering – but R(D) in more sensitive areas
- R(D) doesn't comply with obligation to consult with Manawhenua on tangata whenua
- Many sites not recorded 50m2 midden
- Consultation doesn't always happen, this would be a problem for
- Owhanake subdivision – good consent, vs small subdivision – Oneroa, digger driver ripped through midden 1200m2
- Infrastructure, big problems
- Everyday consents for excavation

5 Technical – Overhead – *Brian Handisides*

- Roding issues >
 - Wastewater
 - Can do more with a site now than before
 - Soils low soakage potential
 - First thing to look at
 - Surface / ground water – may be further limitations
- Why is Council not advocating?
- Part of a body corporate > doesn't work – a process problem
- Think about innovative ways – Owhanake?
- Significant funds – Infrastructure Auckland – to come up with innovative designs in ratepayers interest
- Environment degradation from poorly performing systems
 - dealing with systems put in 20 years ago
- Got to be a minimum requirement – UV / sand filters
- Lifestyle – missed points?
- What are the alternatives?
- Reserve areas for satellite disposal systems –
- Lifestyle determines system
- Have to have certainty given characteristic of the site

- Talking about treatment of filtered treated water, eg 96%
 - Lot size not necessarily w/w determinant

Roading

- GB - Policy doesn't topography
- Same width as an isthmus –
- Need redns –
- Guidelines on how to build –
 - grad's need concrete - maintenance afterwards not
- Sign off of Engineering Bonds
 - Bonds for Roads should not be released after development
 - Truck deliveries
 - Mineral building
- Access for land-locked land – provision for Council to do it – just not if neighbour subdivides – can look at issue then
- Any provision in RMA to allow intervention?
- RM called good planning practice. Council could buy then on-sell
- More a designation process
- Extend from roads > bridle tracks etc.
- These have been cut off as subdivision occurs – eg Cactus Bay
- Different mechanism needs to be used perhaps, eg easements > public owned land
- Width of roads
 - Reduce width – s/w Management plan in conjunction with roads, but how are effects mitigated?
- Do we have standards for subdivided roads on Waiheke – some in last 10 years have fallen apart
- S/W Management – Council has no policy / Strategy before asking developer
- Environmental Action Plan – Tabled
- Subdivision stage – look at S/W effects, cumulative effects
 - How is ARC helping with this?
 - Design Manuals etc
- Innovative approach balance
 - Manage S/W system in roading corridor
 - Water balance equation
- Low impact design manual
- Potable Water – over summer people having to buy in – aquifers around Surfdale – polluted st runoff and not being recharged
- Owhanake System – is abandoned

- 4-5000 litres ? a day discharge, this is major environmental issue
- Environment does determine what we do
- Can treat to high standards, but culturally still effluent
- 150 ha – site needed for disposal
- Traditional subdivision 1920/s / 1930's – not a lot of new subdivision – a lot of lots created at this time not a lot of extra subdivision – still some vacant lots
- A lot of people bought more than one title
- Traffic / S/W etc
- A lot of areas in Waiheke – traditional development – still sitting undeveloped
- 12m wide sections – not designed for cars/garages
- Is there consensus – this is if innovative solutions will work
- Wildlife – GB
- Native planting – create a problem when >3m, => fire hazard
- Integrated S/W and W/W hazards interrelated geotech issues
- Surfdale example
- More sedimentation / scouring out with water tables at side of road
- Earthworks - Digger driver front line, when see it doesn't work, then they need to be aware
- Available of advice at Waiheke office
- All big developments have had sediment controls – but still haven't worked
 - Comment that controls cause more problems
 - Not enough enforcement ARC & ACC
- Personnel
 - Any reporting problems
- Formulate a Working Party > proactive
- Minimum earthworks – would this be a requirement – get a consultant, then peer review. Don't know on Waiheke, have skills, will also cost more money

6.0 Waste water – *Kelly Blair*

- Need to be getting guys – running digger to monitor etc.
- Council worst ones, eg digging on roadside
- Earthmovers on Waiheke 5-6 – more consistent
- Some of consultants should have been invited, and Waiheke Planner
- Invitation from Glenys to send in further written comments