



STAFF REPORT

TO: Environment & Planning Committee

FROM: Rose Biss, Policy Planner

REFERENCE: L314

SUBJECT: **MAPUA - RUBY BAY PROPOSED CHANGE 22: RURAL 1 MANAGEMENT OPTIONS ASSESSMENT - REPORT REP10-12-05** - Report prepared for meeting of 16 December 2010

CONFIDENTIAL

1. PURPOSE OF REPORT

The purpose of the report is to provide the Council with further options for the management of subdivision in the Rural 1 Zone at Mapua Ruby Bay other than a Rural 1 Closed Zone as proposed in report EP10-09-10 on plan change 22 Mapua and Ruby Bay Development presented at the 23 September 2010 meeting (refer resolution EP10-09-16). It is one of a number of zones that are proposed to be changed at Mapua Ruby Bay in plan change 22.

2. BACKGROUND

The Rural 1 Zone is located on the flat land between the Ruby Bay coastal strip of houses and Mapua township and on the lower Seaton Valley between Seaton Valley Road and Stafford Drive (see map attached). It comprises both light sandy soils on the coastal side of the road and Braeburn clay loams on the valley bottom on the Seaton Valley side of Stafford Drive. The lower valley area is prone to freshwater flooding and the coastal strip is prone to summer drought on the light sandy soils. This has led to the view that this is not appropriate land for Rural 1 zoning.

2.1 Land use

Land use in the zone varies from cropping and grazing on the largest block in Seaton Valley, olive growing at the south end of the Ruby Bay strip of houses to lifestyle blocks along the southern coast towards the Mapua Leisure Park. There is also a cluster of rural residential lots (all less than 1 hectare) fronting on to Aranui Road. Apart from the rural residential lots on Aranui Road none of the zone is serviced. The lowlying nature of most of the land would make it difficult to service.

2.2 Lot Sizes

There are 38 properties in the Rural 1 Zone south and west of the Ruby Bay residential area ranging in size from 49 hectares in the lower Seaton Valley down to 0.1325 hectares (a small lot created on the boundary of Mapua township). Several subdivisions have occurred in the last few years that have used the Rural 1 discretionary activity rule to create other lots well below the minimum lot size threshold of 12 hectares. There are five properties on the western (Seaton Valley) side of Stafford Drive. All but two have dwellings on them. There are thirty properties on the eastern (coastal) side of Stafford Drive and all except two of these have dwellings on them.

2.3 Land Levels

Land levels, as measured in the LiDAR survey are generally relatively low in this area - 2 metres above mean sea level through much of lower Seaton Valley and 2 to 3 metres amsl through much of the coastal plain area east of Stafford Drive.

3. COASTAL AND FLOOD HAZARD RISK

The coastal plain at Mapua Ruby Bay has been subject to persistent coastal erosion and inundation and will be further exposed if the defences erected in the last ten years should fail. The Council commissioned some modelling of freshwater flooding in the Seaton Valley and Ruby Bay catchments in 2009 and undertook some coastal hazard assessment work of its own. A number of coastal as well as freshwater flooding hazard risk mitigation options were assessed, including a "banks down" scenario (no further protection works or maintenance to existing works) as well as 0.8 metres sea level rise and 100 year return period rainfall event occurring with the extent of future urban development as per the Mapua Structure Plan. This led to the staff recommendation in the report to the 23 September 2010 meeting to have a Rural 1 Closed Zone.

The coastal hazard risk assessment prepared by the Council's coastal scientist for the 20 May 2010 meeting has been peer reviewed by Dr Rob Bell a NIWA coastal scientist. Dr Bell was asked to review the report in terms of hazard risk assessment, range of options considered and the plausibility and consequences of those options. Aside from minor additions and some rephrasing for consistency the peer review retains and confirms the original report, and adds to it by reference to the recently released NZCPS and particularly the effect of its strengthened policies and objectives on some of the options suggested. An updated copy of the assessment can be provided on request.

The assessment has been carried out with the time-frame recommended in the NZ Coastal Policy Statement - to 2100 and beyond.

4. NZ COASTAL POLICY STATEMENT

Since the Council meeting on September 23 the Proposed NZ Coastal Policy Statement has been approved and takes effect from 3 December 2010. The NZCPS is a national policy statement required to be "given effect" to by all persons exercising

functions under the RMA. Policies 3, 7, 18, 24, 25 and 27 are very relevant at Mapua Ruby Bay. These policies are attached as Appendix 1. They can be summarised as

- Precautionary approach to apply
- Identify hazards, assess risk over 100 years, consider climate change
- Identify in plans where particular activities and forms of development and subdivision are or might be inappropriate
- Maintain /enhance public walking access to and along the coast, considering specified effects and needs
- Strategies for protecting significant existing development from coastal hazard risk

Section 55 of the RMA requires the Council to give effect to the objectives and policies specified in the New Zealand Coastal Policy Statement if it is making plan changes in the coastal environment.

5. ACCESS

Practical access to the lifestyle blocks in the southern part of the Rural 1 Zone between Aranui Road and the coast is via a shared accessway which is now shared by eight properties. The accessway which exits to Aranui Road immediately south of the school, parallels the Mapua School's southern boundary and the Old Mill Walkway and is now catering for several more lots than the threshold of six lots permitted in the Tasman Resource Management Plan. Further subdivision could put pressure on this accessway.

6. OPTIONS

There were nine responses to the Mapua draft plan change (released in June 2010 for public comment) that asked the Council to reconsider the Rural 1 Closed zoning. The Department of Conservation suggested a two tier approach to managing the coastal hazard risk such as identifying primary and secondary risk areas as has been done at Waihi Beach and Pukehina in Western Bay of Plenty.

The Council has asked staff to consider other options than a Rural 1 Closed Zone which made extremely limited provision for further subdivision. Under the Rural 1 Closed zoning, all subdivisions, other than boundary adjustment subdivisions, were proposed to be a prohibited activity.

Several options are presented that would allow for a range of different subdivision scenarios that would have different risk outcomes. Table 1 gives a summary of subdivision options.

Evaluation of options

The options range from a conservative precautionary approach to approaches that allow a certain amount of development on the larger lots, to those that allow a lot of development that would cause some issues for the planning and servicing programme that is currently included in the LTCCP.

All the options that yield additional lots will exacerbate the consequences of extreme event hazard because more residents and their building assets will be placed at risk than in the current situation. While a Rural 1 Special or Rural Coastal Zone may have some merit to replace the Rural 1 Zone on the sand plain on the coastal side of Stafford Drive Rural 1 Closed Zone is preferred because it will not lead to additional lots that will be exposed to the consequences of extreme hazard events over the life of dwellings on these sites.

Councillors will recall that provisions for dwellings and structures were addressed at the 23 September meeting so as to allow a dwelling on a site that did not already have a dwelling as a Restricted Discretionary Activity.

7. RECOMMENDATION

1. **It is recommended** that the Council adopt Option 5 in Report REP10-12-05 to retain the Rural 1 Closed Zone on the Mapua sand plain area and on the lower Seaton Valley in the draft plan change.
2. **Note:** The updated Plan Change 22 will be reported back to the Committee early in 2011.

Rose Biss
Policy Planner

Table 1 - Options for Rural 1 Closed Zone					
Option No	Zone	Explanation	Costs	Benefits	Efficient , Effective
1	Rural Residential <i>1 hectare minimum area</i>	This option would replicate the type of subdivision that already exists in a part of the area fronting Aranui Road. The latter has been allowed through a resource consent. This option would allow the creation of 50 additional complying lots. More lots than this number could result from grants of discretionary subdivision.	Infrastructure costly to provide on flat lowlying sites Elevated wastewater systems needed Filling of sites could affect the Council's stormwater project already underway	Would meet the needs of some landowners who seek to reduce the size of their current holdings	Contrary to current draft policy to have future rural residential development on the hills away from coastal hazards
2	Rural 1 <i>12 ha minimum area < 12 ha lot sizes discretionary</i>	This option is the status quo. An indeterminate number of additional lots could be yielded as discretionary subdivision.	Rock protection works present an ongoing maintenance cost to some of the lots that have been created	Some improvements to existing access along the coast have been obtained	Discretionary subdivision provision has allowed a wide range of lots below the minimum area - policy now unclear
3	Rural 1 Special <i>12 ha minimum area < 12 ha lot sizes non complying</i>	This option is a modification of the status quo - with a tighter subdivision rule. A small number of additional lots could result from grants of non complying subdivision subject to chosen policy.	Opportunity cost to some landowners who may not be able to subdivide	Retains most of the current spacious sites	Could possibly be effective but would rely on strong policy direction
4	Rural Coastal <i>3.5 ha minimum area; <3.5 ha non complying</i>	This option would allow the creation of 6-7 more complying lots if confined to the coastal side of Stafford Drive and 15 if applied over the whole zone. Further lots could result from grants of non complying subdivision.	Existing access to some of the larger lots is at capacity	Would meet the needs of some landowners who seek to reduce the size of their current holdings	Partially supports policy of directing future development to the hills
5	Rural 1 Closed <i>Further subdivision prohibited apart from boundary adjustments</i>	This option is the most limited in allowing future subdivision. No additional lots would be created.	Opportunity costs to a few landowners who may not be able to subdivide	Retains the current spacious sites and requires minimal infrastructure such as roads and other pipe services	Fully supports the policy of directing future development to the hills away from coastal hazards

Policy 3 Precautionary approach

- (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.
- (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:
 - (i) avoidable social and economic loss and harm to communities does not occur;
 - (ii) natural adjustments for coastal processes, natural defences, ecosystems , habitat and
 - (iii) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.

Policy 7 Strategic Planning

- (1) In preparing regional policy statements and plans:
 - (a) consider where, how and when to provide for future residential, rural residential, settlement , urban development and other activities in the coastal environment at a regional and district level, and:
 - (b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:
 - (i) are inappropriate; and
 - (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement or Schedule 1 of the RMA process;

and provide protection from inappropriate subdivision, use and development in these areas through objectives, policies and rules.

- (2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

Policy 18 Public Open Space

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- (a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes , and amenity values of the coastal environment ;
- (b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;
- (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- (d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and
- (e) recognise the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

Policy 24 Identification of coastal hazards

- (1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:
 - (a) physical drivers and processes that cause coastal change including sea level rise;
 - (b) short term and long term natural dynamic fluctuations of erosion and accretion;
 - (c) geomorphological character;
 - (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;
 - (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions;
 - (f) influences that humans have had or are having on the coast;
 - (g) the extent and permanence of built development; and
 - (h) the effects of climate change on:
 - (i) matters (a) to (g) above;

Policy 25 Subdivision, use and development in areas of coastal hazard risk

In areas potentially affected by coastal hazards over at least the next 100 years:

- a) avoid increasing the risk¹⁰ of social, environmental and economic harm from coastal hazards;

- b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;
- d) encourage the location of infrastructure away from areas of hazard risk where practicable;
- e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- f) consider the potential effects of tsunami and how to avoid or mitigate them.

Policy 27 Strategies for protecting significant existing development from coastal hazard risk

- (1) In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:
 - a) promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk;
 - b) identifying the consequences of potential strategic options relative to the option of “doing nothing”;
 - c) recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations;
 - d) recognising and considering the environment and social costs of permitting hard protection structures to protect private property; and
 - e) identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches;
- (2) In evaluating options under (1):
 - a) focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions;
 - b) take into account the nature of the coastal hazard risk and how it might change over at least a 100 year timeframe, including the expected effects of climate change; and
 - c) Evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.

- (3) Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse affects on the coastal environment.
- (4) Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in dong so.