

Hearing 19: Ohinewai Rezoning and Development

Executive Summary of Section 42A report

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Introduction

1. Through submissions on the Proposed Waikato District Plan, significant growth has been sought on rural land at Ohinewai. The most detailed proposal is by Ambury Properties Limited (APL), for what is known as the Ohinewai Structure Plan on 178ha of land bounded by Lumsden Road, Tahuna Road and Balemi Road. This is referred to as 'the APL Proposal' and includes:
 - a. A Structure Plan which sets out the various land uses proposed including indicative areas of open space for recreation and stormwater management;
 - b. Industrial zone (63ha) including land for the Sleepyhead factory (37ha);
 - c. Business zone (8.7ha) anticipated for service station, discount factory outlet shops, convenience retail;
 - d. Residential zone (107ha) anticipated to accommodate 900-1100 medium density houses (52ha) with the remainder in open space/stormwater management areas (55ha);
 - e. Specific plan provisions including limits on retail and office activities and measures to mitigate visual effects (i.e. landscaping and building setbacks).
2. Directly south of the APL proposal and also on rural land, the submission from Ohinewai Lands Limited (OLL) is seeking that a further growth area (39ha) be signalled within the Ohinewai Structure Plan ('the OLL proposal'). Rezoning is not sought in this submission, rather the intent is to indicate future residential use and open space that will require a future plan change to implement live zones.
3. There are also several other rezoning proposals applying to Ohinewai land on the western side of State Highway One, including seeking that Country Living zone be applied rather than Rural. All land near Ohinewai subject to rezoning submissions is shown on the map in Attachment I.

Large Scale Industrial, Business and Residential Rezoning Requests

4. Three submissions request large-scale rezoning – APL, OLL and Planning Focus Ltd. A total of 111 further submission points were made on the three original submissions from 33 further submitters. There was more opposition than support. Reasons for support included:
 - a. Support the further development of Ohinewai
 - b. Location has good access
 - c. Creation of employment opportunities / supply of industrial land
 - d. Social benefits.
5. Reasons for opposition to the proposals included:
 - a. Insufficient information to understand effects

- b. Effects on transport network and traffic safety
 - c. Adverse effects of industrial activities on rural / village / Country Living amenity and environment (including noise, traffic, light, air discharges)
 - d. Change in character of Ohinewai
 - e. Concerns about alternative outcomes to the Masterplan, for example if Sleepyhead shuts, or if there is insufficient market uptake for the medium density residential component
 - f. Flood hazard risks
 - g. Inconsistent with Future Proof and Waikato Regional Policy Statement (WRPS)
 - h. Proximity to sensitive wetlands and Outstanding Natural Feature
 - i. Sterilisation of mineral rights held by Ralph Estates for the underlying land.
6. The s42A report assesses the rezoning requests against the planning instruments, the most relevant being the National Policy Statement for Urban Development Capacity, Waikato Regional Policy Statement and Waikato Proposed District Plan. Significant weight has been given to these documents as the proposals must give effect to the National Policy Statement for Urban Development Capacity and Waikato Regional Policy Statement. By contrast, little weight has been given to the Blueprint and Growth Strategy as they are non- statutory documents. The report also assesses the actual and potential effects, the objectives of the Waikato Proposed District Plan and the level of accordane with Part 2 RMA.
7. A significant number of technical documents have been relied upon in the analysis of these submission including:
- a. APL technical information
 - s32AA and AEE planning report
 - Masterplan
 - Ohinewai Structure Plan
 - Zoning Plan
 - Flooding Assessment Report
 - Geotechnical Assessment Report
 - Ecological Report
 - Stormwater Management Plan
 - Acoustic Assessment
 - Landscape & Visual Assessment
 - Integrated Transport Assessment
 - Preliminary Site Investigation for contaminated soils
 - Archaeological Assessment
 - Wastewater and Water Supply Reporting
 - CVA Letter
 - Economic Assessment
 - Urban Design Report
 - Social Impact Assessment
 - Stakeholder Engagement
 - b. OLL technical information
 - s32AA and AEE planning report
 - Urban Design, Landscape and Visual Assessment
 - Infrastructure Services Assessment
 - Archaeological Assessment
 - c. Council technical information:
 - Economic Assessment Peer Review (business / industrial)
 - Economic Assessment Peer Review (residential land use)

- Three Waters Peer Review
 - Landscape and Urban Design Peer Review
 - Transport Peer Review
 - Social Impact Peer Review
 - Open Space Advice
8. Based on the analysis, including independent peer review of the technical documentation provided in support of the APL and OLL proposal, the proposed Business and Residential zones and the inclusion of the Ohinewai Structure Plan are not supported and are recommended to be rejected. The reasons for this recommendation are outlined below.

APL Proposal

9. The APL proposal cannot be a 'self contained' settlement; it lacks size/critical mass to be a fully functioning 'town' and as such it poses significant social and transport issues. APL proposes a population of potentially 2,500 - 3,000 people which is a large settlement in the context of the District.

Infrastructure constraints

10. Overall, urban development within the Structure Plan area has been demonstrated to be technically feasible, though subject to multiple constraints. The most significant constraints are certainty around the availability of interim water and wastewater servicing options until such time as a municipal service is available, which is expected to be in 5-10 years' time.
11. The proposal will likely result in demands for the substantial expenditure of public funds on infrastructure, when those funds could be more efficiently used to support existing areas identified for growth and addressing existing infrastructure servicing issues.

Residential Zone

12. There is insufficient planning justification for establishing a new Residential Zone at Ohinewai. The APL proposal creates a new urban area that is not adjacent to an existing urban area or integrated with the existing Ohinewai village and is therefore inconsistent with the principles of Future Proof and the Built Environment policies of the Waikato Regional Policy Statement.
13. The policy direction for growth in the Waikato Regional Policy Statement and Future Proof is to consolidate growth in existing urban areas or identify new growth adjacent to existing urban areas. Alternative land release of residential land is provided for where specified criteria are met. These criteria will not be met because the new growth area is not adjacent to an existing urban area and will not meet the Future Proof principles and development principles of the Waikato Regional Policy Statement.

Business Zone

14. A new Business Zone in this location is not consistent with the policy framework of the Proposed Waikato District Plan, as it does not support a Business Town Centre, and therefore the types of activities that could locate within the zone have the potential to detract from existing centres such as Huntly.
15. The policy direction for commercial growth in the Waikato Regional Policy Statement is that commercial activities are predominantly located in existing centres. An alternative location for commercial activity is provided for in the Waikato Regional Policy Statement where it does not compromise the vitality and vibrance of existing centres. Economic effects of the proposed Business Zone are considered to have a potentially significant impact on the Huntly town centre.

Industrial Zone

16. The new Industrial Zone sought by APL is recommended to be accepted because of the scarce supply of large sites with suitable locational attributes to support industry (including proximity to an existing highway interchange and potential for a rail siding). This zoning is intended to

accommodate establishment of a new Sleepyhead factory. The economic benefits of the proposed Industry Zone are significant to the District, providing employment to people in nearby towns.

17. Potential adverse effects on the environment from development of the Industrial Zone could be adequately mitigated through the addition of appropriate provisions/matters for discretion into the Proposed Waikato District Plan. In terms of water and wastewater servicing, this can be more easily addressed on site because industrial development would have limited demand when compared to the wider Ohinewai Structure Plan proposal.

OLL Proposal

18. The OLL proposal relies on the APL proposal to include the Ohinewai Structure Plan into the Proposed Waikato District Plan, and it does not seek rezoning. The submitter seeks to ensure that future development is not precluded by the acceptance of the APL proposal. Therefore the recommendation to reject the APL submission on the Ohinewai Structure Plan has the consequential effect of recommending rejecting the OLL submission.

Planning Focus Ltd Proposal

19. The Planning Focus Ltd submission to rezone land on the western side of State Highway One is recommended to be rejected due to unmitigated transport effects, effects on the existing country living environment, and potential effects resulting from proximity to the Waikato River which have not been adequately addressed. Insufficient information has been provided by the submitter to assess the constraints applying to the land such as flooding.

Country Living Rezoning Requests

20. Two submissions were received seeking Country Living rezonings at Ohinewai:
 - a. Shand Properties: Request to rezone approximately 61 hectares of land adjacent to Ohinewai North Road from Rural Zone to Country Living Zone, which would enable approximately 100 dwellings.
 - b. Ribbonwood Family Trust: Request to rezone all Rural Zoned properties within the area bounded by Ohinewai South Road and State Highway 1, including 53 Ohinewai South Road, to Country Living Zone.
21. 27 further submission points were received from 20 further submitters. There was a mixture of support and opposition. Reasons for support included:
 - a. Community desire for more rural-residential sections
 - b. Consistency of zoning with zoning of surrounding land
 - c. Rezoning would support the APL proposal and the overall development of Ohinewai as a mixed use village.
22. Reasons for opposition included:
 - a. Strategically inappropriate / inconsistent with Future Proof and the WRPS
 - b. Increased traffic and noise
 - c. Flood hazards risk
 - d. Sterilisation of mineral rights held by Ralph Estates for the underlying land.
23. These submissions are recommended to be rejected because they are inconsistent with the Future Proof settlement pattern and contrary to the rural-residential growth policies of the Waikato Regional Policy Statement. In addition, the land is affected by flood risk. The land is

not shown to be required to address any development pressures or to meet the allocated growth allowance for rural areas.

24. Both submissions seeking Country Living rezonings are recommended to be rejected.

Miscellaneous

25. Two other submissions were received relating to Ohinewai zoning:
- a. Ohinewai Area Committee: Request to rezone 10, 12, 14, 16 and 18 Ohinewai North Road from Business Zone to a residential living zone in order to reflect their existing use, which has been residential in character and use for decades. This was supported by two further submitters and one was neutral.
 - b. PLB Construction: Request to include policies referring to the Industrial Zone being suitable for Ohinewai. This was generally opposed by further submitters.
26. The rezoning sought by the Ohinewai Area Committee is supported and it is recommended that properties be rezoned to Village Zone to be more consistent with the existing environment as indicated by the further submission. The Village Zone is considered to support the outcomes sought by the submitter and be consistent with the zoning of other residential sites in the vicinity, as the Village Zone generally applies to unserviced residential land and is commonly located in the more remote rural villages in the District.
27. Explicit indication of Ohinewai's suitability for industrial zoning to be included in the Proposed Waikato District Plan is not considered to be required therefore this submission is recommended to be rejected.

Recommended amendments

28. The s42A Report recommends the following changes to Ohinewai's zoning in the Proposed Waikato District Plan, as shown on the map in [Attachment 2](#):
- **Rezone** light purple area on map to Industrial Zone
 - **Rezone** five beige sites on map (10, 12, 14, 16 and 18 Ohinewai North Road, Ohinewai) to Village Zone.
29. Further development of plan provisions is required to support the recommended Industrial Zone to address a range of technical constraints and potential adverse environmental effects.
30. It is anticipated that APL will provide a revised set of plan provisions with their evidence to the Hearings Panel in response to the issues raised in the s42A Report.

Process

31. In accordance with the Hearings Panel directions of 20 August 2019, technical and other supporting evidence will be filed by submitters and further submitters which will respond to the matters raised in the s42A report. The hearing for the Ohinewai rezoning submissions will then commence on 8 June 2020.

Attachment 1 - Rezoning Land Location Map by Submitter

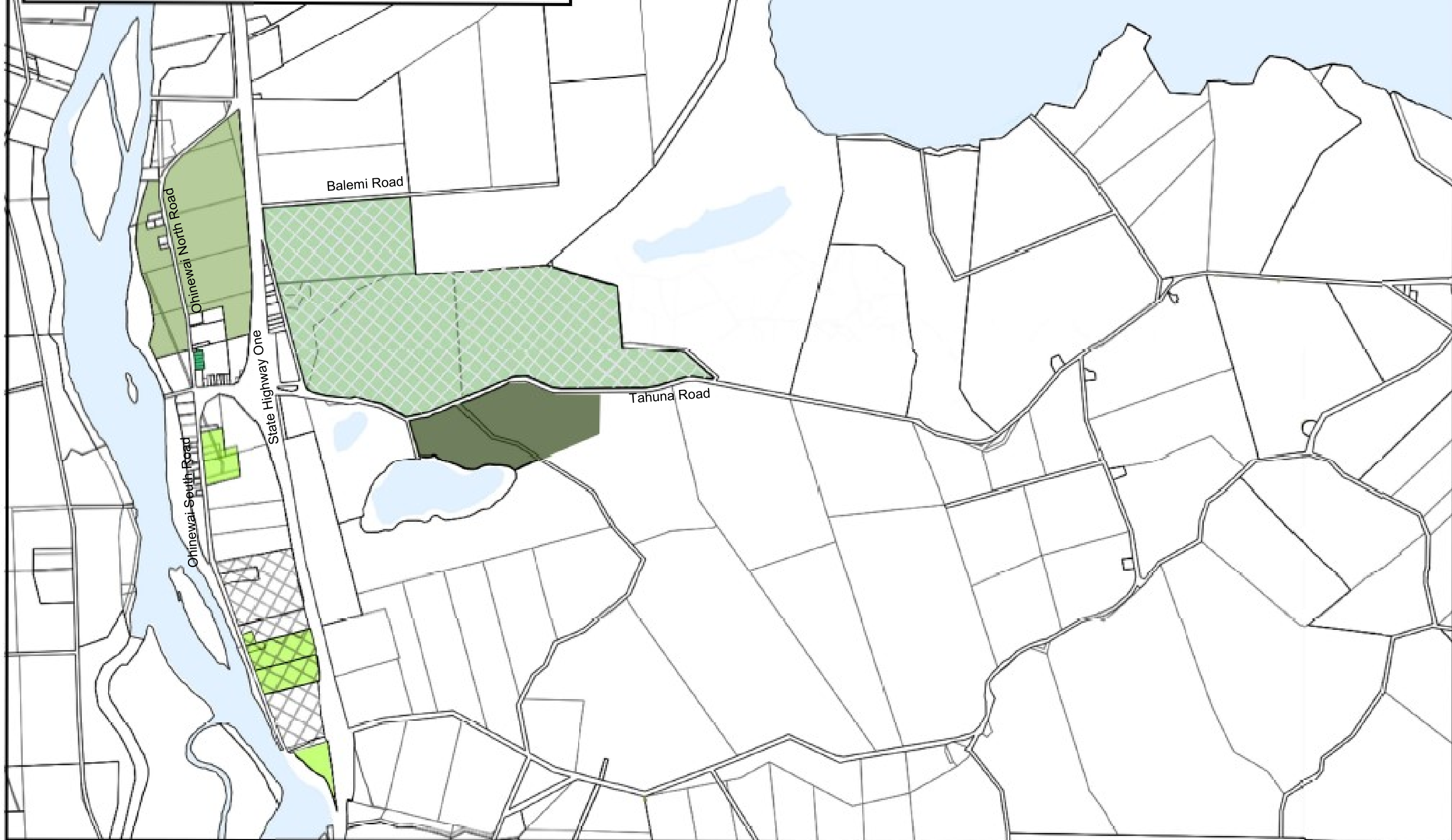


Map 1/2

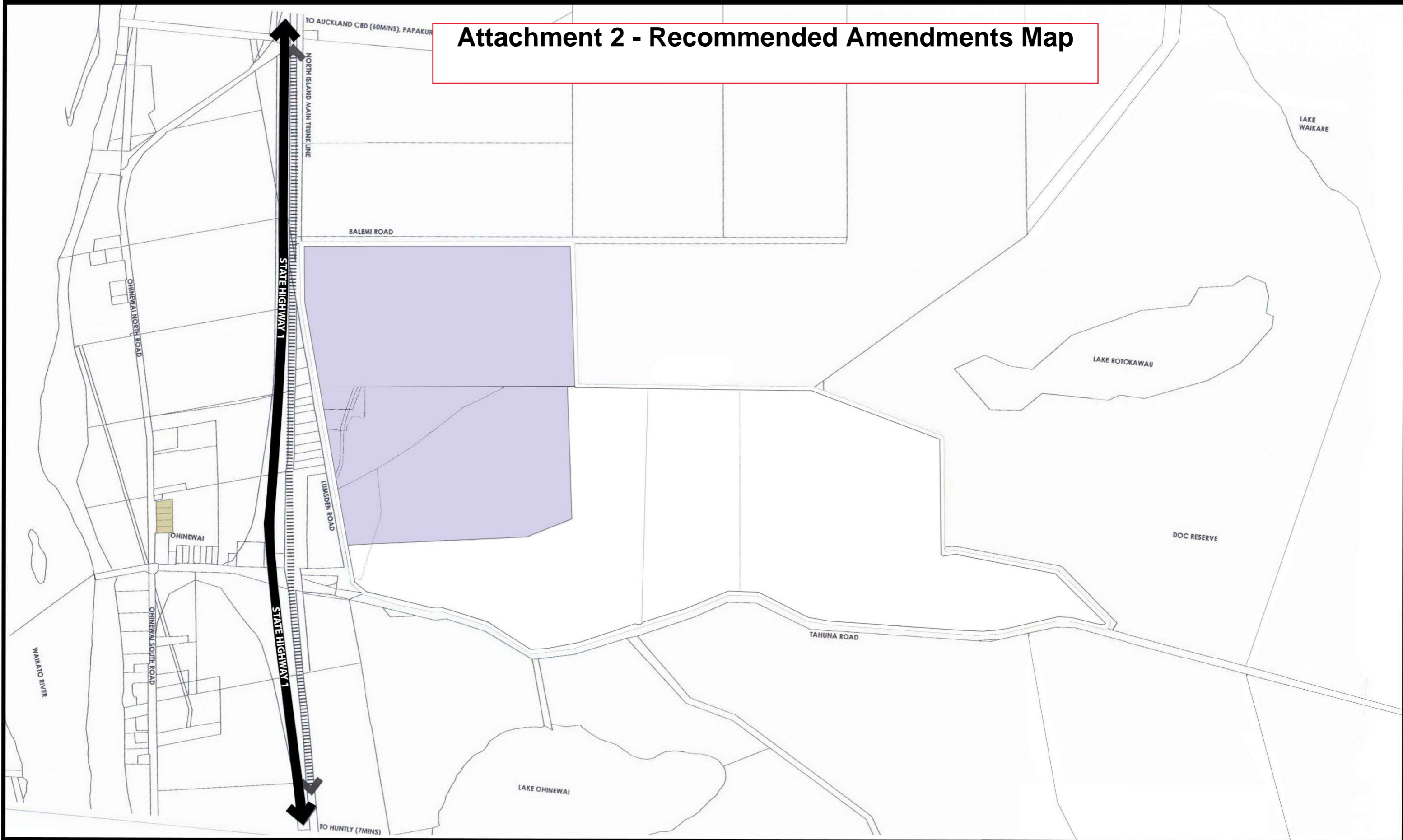
LEGEND

Land Subject to Rezoning Submission

764.1		428.1	
793.1		383.1	
738.1		863.1	



Attachment 2 - Recommended Amendments Map



- LEGEND**
- Recommended Village Zone
 - Recommended Industrial Zone

