

RMA s32AA evaluation

Re-zoning of Vineyard Road, Te Kauwhata

Table 1: Rezoning Proposal

The specific provisions sought to be amended	Assessment of the efficiency and effectiveness of the provisions in achieving the objectives of the Proposed Waikato District Plan (PDP)
The rezoning proposal	The proposal is to up-zone eastern extent of Vineyard Road, Te Kauwhata from CLZ to VZ with a minimum site size of 2,000m ² (unserviced) and 1,000m ² serviced.
Relevant objectives of the PDP	<p>4.1.1 Objective – Strategic (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated. (b) National Policy Statement on Urban Development Capacity Minimum Targets</p> <p>4.1.2 Objective – Urban growth and development</p> <p>4.1.3 Policy - Location of development</p> <p>4.1.4 Policy – Staging of development</p> <p>4.1.5 Policy – Density</p> <p>4.1.7 Objective – Character of towns</p> <p>4.1.8 Policy – Integration and connectivity</p> <p>4.1.9 Policy – Maintaining Landscape Characteristics</p> <p>4.1.12 Policy - Te Kauwhata</p> <p>4.3.1 Objective – Village Zone character</p> <p>4.3.2 Policy – Character</p> <p>4.3.4 Objective – Village built form and amenity</p> <p>4.3.5 Policy – Building Setbacks</p> <p>4.3.6 Policy – Front setback character</p> <p>4.3.7 Policy – Excessive building scale</p> <p>4.3.9 Policy – Height of buildings</p> <p>4.3.10 Policy – Daylight and outlook</p> <p>4.7.1 Objective – Subdivision and Land Use Integration</p>

	<p>4.7.2 Policy – Subdivision location and design</p> <p>4.7.4 Policy – Lot sizes</p> <p>4.7.5 Policy – Servicing requirements</p> <p>4.7.6 Policy – Co-ordination between servicing and development and subdivision</p> <p>4.7.7 Policy – Achieving sufficient development density to support the provision of infrastructure services</p> <p>4.7.8 Policy – Staging of subdivision</p> <p>4.7.9 Policy – Connected neighbourhoods</p> <p>4.7.10 Policy – Recreation and access</p> <p>4.7.11 Policy – Reverse sensitivity</p> <p>5.1.1 Objective – The rural environment</p> <p>5.2.1 Objective - Rural resources</p> <p>5.2.2 Policy - High class soils</p> <p>5.2.3 Policy - Effects of subdivision and development on soils</p> <p>5.3.1 Objective - Rural character and amenity</p> <p>5.3.2 Policy - Productive rural activities</p> <p>5.3.4 Policy - Density of dwellings and buildings within the rural environment</p> <p>5.3.8 Policy - Effects on rural character and amenity from rural subdivision</p> <p>5.6.1 Objective – Country Living Zone</p> <p>5.6.2 Policy – Country Living character</p> <p>5.6.3 Policy – Subdivision within the Country Living Zone</p> <p>5.6.5 Policy – Scale and intensity of development</p> <p>An evaluation of the proposal against these objectives and policies is set out in my statement of evidence.</p>
<p>Relevant Objectives and Policies identified in the Appendix 2 Matrix from the Framework Report</p>	<p>Appendix 2 of the Framework Report sets out a Matrix of ‘Relevant Objectives and Policies in the PWDP’ to be evaluated. Although those provisions identified in Chapter 1 of the PWDP are issue statements rather than objectives or policies for the purposes of the Section 32AA assessment, in</p>

my view the proposal to up-zone the eastern extent of Vineyard Road to VZ is more consistent with the proposed CLZ:

1. Growth occurs in defined growth areas (1.5.2(a))

The Vineyard Road area subject to this submission is identified in the Future Proof Network Plan as forming part a future multi-mode north-south linkage to the Town Centre and Railway Station.

2. Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently. 1. 12. 8(b)(i)

Up-zoning the land from CLZ to VZ will utilise the land more efficiently by yielding more dwelling sites. This in turn increases the efficiency of operation and the viability of expansion of existing infrastructure that serves the community of Te Kauwhata .

3. Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1. 12. 8(b)(ii)

The up-zoning will create a more compact urban environment, and the development standards of the VZ will ensure that good quality urban environments result.

4. Focus urban growth in existing urban communities that have capacity for expansion. 1. 12. 8(b)(iii)

As described in the Framework Report, Te Kauwhata is an existing community that does have capacity for further expansion. A higher development density will provide additional growth and therefore alleviate pressure for development in less suitable locations.

6. Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic, and environmental significance. 1. 12. 8(b)(vi)

The proposed up-zoning from CLZ to VZ will to have any impact on the existing controls and overlays that protect and enhance significant cultural and environmental features.

	<p><i>7. Future settlement pattern consolidated in and around existing towns and villages in the district and in 'defined growth areas' (1. 5. 1(b); 1.12.3(a); 1.12.3(c); 4.1.2(a); 5.3.8)</i> The Vineyard Road area is identified within the Future Proof plan for Te Kauwhata. That plan indicates that as CLZ, the supply would be taken up within 1-3 years. By providing VZ in Te Kauwhata, the settlement pattern can be further consolidated and the forward supply of land can be extended.</p> <p><i>8. Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4. 1. 3(b))</i> The Future Proof Strategy does identify Te Kauwhata as a location where future growth can be accommodated. Up-zoning some of the CLZ to VZ in this location increases the viability of growth related infrastructure such as the north-south multi-mode transportation linkage between Vineyard Road and the Town Centre and Railway Station.</p> <p><i>13. Infrastructure can be efficiently and economically provided (4.1.3(a))</i> As stated in the s42A Report, the existing infrastructure does have sufficient capacity for growth. In the event that the infrastructure is not in place at the time of subdivision, the subdivider and Council can agree on site specific solutions through conditions of consent.</p> <p><i>22. Meets district wide rules and any relevant overlays</i> The proposed change from CLZ to VZ will not compromise any of the existing overlays that are located at the northern and eastern extents of the subject land. Being located where they are, they provide a 'defendable' boundary between the subject sites and adjoining rural land to the north and east so as to prevent further expansion of the zone in those directions.</p>
<p>Scale and significance of the rezoning proposal</p>	<ul style="list-style-type: none"> • <i>What is the spatial extent of the rezoning request (i.e. single site, few sites, or large scale rezoning request)?</i> The extent of the proposed zone change to Village Zone is some 27ha of land, which at a density of 2,000m² per allotment, would yield up to 129 additional dwelling sites. As notified, the CLZ yields 47 allotments from the subject sites, so the proposed re-zoning to VZ would provide an additional 82 lots in Te Kauwhata.

- *Is the rezoning request of local, district or regional significance?*

The zoning request is of local significance, although the request to alter the minimum lot size in the Village Zone has district wide significance. That matter was considered in Hearing 6, and a district-wide minimum lot size of 2,500m² (as per the former Franklin rules) was recommended. For the purposes of this hearing, a village specific rule is considered appropriate (as has been proposed for Te Kowhai and Glen Massey), as the eastern extent of Vineyard Road in Te Kauwhata would join those as the only settlements in the Waikato District with both CLZ and VZ.

- *Does the rezoning align with higher order documents?*

The proposed rezoning is more in alignment with higher order planning documents. As outlined in the Framework Report, the zoning as notified in the WPDP will not provide sufficient yields to meet the requirements of the NPS-UD. The proposed up-zoning also gives effect to the NPS-UD and the Future Proof Network Plan for Te Kauwhata, which envisages a multi-mode transport corridor between the subject site and the Town Centre and Railway Station to the south.

- *Would the requested rezoning align with or result in significant change in the anticipated outcomes / character / amenity of the subject area and communities?*

As originally submitted, the rezoning request would have enabled further subdivision of recently created sites, in effect doubling the density of those areas. A number of residents opposed this submission, so the extent now being sought does not include the already developed areas. The current zoning request relates to the eastern (undeveloped) extent of Vineyard Road.

- *What are the effects of the rezoning on resources that are considered to be a matter of national importance in terms of Section 6 of the RMA.*

There are significant natural areas (wetlands) in proximity of the site. These can be protected from inappropriate subdivision use and development by providing higher development yields on-side of those areas.

	<ul style="list-style-type: none"> • <i>Does the scale of the development have any implications in terms of land use and transport integration matters?</i> The rezoning will provide an opportunity to incentive and facilitate additional connectivity in parallel with the existing rail infrastructure that runs along the eastern extent of the proposed zone. This is consistent with the Waikato 2070 Growth Strategy’s vision for Te Kauwhata. In particular, the Network Plan for the village depicts an ‘Alternate (multi-modal) north-south link to the Town Centre and Station’. • <i>Does the scale of development have any implications in terms in terms of infrastructure servicing (i.e wastewater, water supply and stormwater).</i> It is said in the Framework report that Te Kauwhata has or can have sufficient capacity to accommodate additional growth, and that connecting a greater number of household units to the network will provide greater economies of scale to the ratepayers. In the event that there is insufficient network capacity at the time of resource consent for subdivision, it is said in the Framework Report that the Council will enter into negotiations with the subdivider at the time of resource consent to devise suitable outcomes for both parties. (Refer Page 5 paragraph q of the Framework Report). • <i>Would the rezoning limit the anticipated future development planned for in the subject area.</i> The proposed rezoning provides less limits on the anticipated future development of Te Kauwhata. The presently proposed CLZ, once developed, would amount to the ‘final’ form of development. The VZ proposed in this submission would enable development down to urban levels of development, unlocking further development potential than is presently realised by the WPDP zoning.
Other reasonably practicable options to achieve the objectives (alternative options)	Alternative 1: Rezone the area to VZ and retain the 5,000m ² density
	Alternative 2: Rezone the area to VZ and provide for greater variety and intensity of development (such as rural apartments)
	Alternative 3:

	Rezone the area to a residential zone
	Alternative 4: Do nothing option Retain the existing CLZ at 5,000m ² density

Table 2: Benefits and Costs Analysis of the Rezoning Proposal

Rezoning Proposal: Up-zoning the eastern (undeveloped) extent of Vineyard Road from CLZ to VZ with a minimum site size of 2,000m ² (unserviced) and 1,000m ² serviced.		
	Benefits	Costs
General	The VZ provides for a much greater supply of housing in a quasi-rural location, which reduces the pressure for housing in more rural areas of the district.	With the potential for up to 82 additional lots, the VZ would generate more traffic on Vineyard Road than would otherwise occur under the CLZ.
Environmental	Provides more efficient use and development of land in proximity to existing village.	The additional intensity of development would require upgrades to the existing network utility services.
Social	Smaller site sizes make it more affordable to live in this location, which in turn enables a larger section of the community to locate there.	With the potential for up to 82 additional lots, the VZ would create a 'busier' environment resulting from residential activities than would otherwise occur under the CLZ
Economic – General	The ability for some areas to have infill development or higher densities will be an economic benefit.	The rezoning itself is unlikely to result in any economic growth or employment other than in the construction sector.

Economic Growth	Increasing the number of dwellings that are connected to reticulated infrastructure will provide greater economies of scale for ratepayers.	The rezoning itself is unlikely to result in any economic growth other than in the construction sector.
Employment	A larger population will increase the catchment for businesses and employers in Te Kauwhata.	The rezoning itself is unlikely to result in any employment other than in the construction sector.
Cultural	The proposed VZ enables the site to be developed at densities that make reticulated services more viable, and hence reducing the potential effects of on-site services that can have an impact on water bodies.	The higher intensity of subdivision will require development of the area to be undertaken in a way that increases separation from the watercourses and wetlands in the vicinity.

Table 3: Evaluation of the proposal

Reasons for the selection of the preferred option.	On balance, the proposed VZ is more in keeping with the NPS-UD, Future Proof growth strategy than the proposed CLZ. The up-zoning will provide additional development typologies for Te Kauwhata without contravening any of the objectives and policies of the PWDP.
Extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA.	On balance, the proposed amendments are considered to be more appropriate in achieving the purpose of the RMA than the notified version. The VZ will provide for a more efficient use and development of land at a rate that is more likely to keep up with the accelerated growth that the Waikato District is experiencing. The VZ will provide for further housing and lifestyle choices for a greater variety of people, and at greater affordability. The diversity that this brings with it will strengthen the wellbeing of the people and communities of Te Kauwhata. The land is already zoned for development under the CLZ, and the purposes of the VZ are largely similar to the CLZ in relation to the effects on natural resources. There are sufficient development controls in the VZ to ensure that subsequent development maintains and enhances the quality of the environment.

<p>Assessment of the risk of acting or not acting if there is uncertain information about the subject matter of the provisions.</p>	<p>The primary risk of acting or not acting rests in rezoning what are currently large CLZ blocks of land at the eastern extent of Vineyard Road for subdivision as of right down to 2,000m² and in advance of any reticulated services being available. It is recognised that there is imperfect information as to servicing timeframes and costs, therefore there is a risk in acting / enabling subdivision to 2,000m² lots whereby sub-optimal growth outcomes will eventuate and where future intensification and infill presents challenges to achieving good end outcomes. This risk is able to be avoided through the use of consent conditions that require the land developer to undertake any necessary works to ensure the development area is adequately serviced.</p>
<p>Conclusion</p>	<p>The proposed provisions (e.g. proposed rezoning) will be efficient and effective in achieving the objectives of the PDP for the following reasons:</p> <ul style="list-style-type: none"> • Up-zoning the submitter’s land in Vineyard Road Te Kauwhata is appropriate given the foreseeable demand and requirements for development and housing in this locality. • The VZ will provide a much greater efficiency of land use and better achieve the objectives of the PWDP and higher order planning documents. • The proposed minimum lot size of 3,000m² does not achieve the 8-10 dwellings per hectare development intensity sought for the Village Zone. • The 2,500m² minimum lot size recommended in the s42A Report for Hearing 6 will not achieve the target density for the zone, and does not reflect the existing development densities of other areas zoned Village.