

Submission 30 – Pen Tucker on behalf of Horizons Regional Council

1 February 2021

RAI 04 01
2020/04508
PAT:MLB

Lauren Baddock
Strategic Planner
Horowhenua District Council
Private Bag 4002
LEVIN 5540

BY EMAIL ONLY: districtplan@horowhenua.govt.nz

Dear Lauren,

PROPOSED PLAN CHANGE 4 – HORIZONS' SUBMISSION

Thank you for the opportunity to make a submission on the Horowhenua District Council's (HDC) Proposed Plan Change 4 (PPC4) – Taraika Growth Area.

At Horizons Regional Council (Horizons) we have a key role in making the region a great place to live, work and play. Our responsibilities include managing the region's natural resources, flood control, monitoring air and water quality, pest control, facilitating economic growth, leading regional land transport planning and coordinating our region's response to natural disasters.

In terms of environmental planning, our integrated planning document, the One Plan, sets out four keystone environmental issues for our region – surface water quality degradation, increasing water demand, unsustainable hill country land use and threatened indigenous biodiversity.

Horizons could not gain an advantage in trade competition through this submission; our interest in PPC4 is primarily as the regional authority for the affected area. In this submission we consider the proposed district plan changes in the context of giving effect to the regional policy statement components of Horizons' One Plan, and ensuring that these changes would not be inconsistent with our regional plan provisions¹. We also comment from the perspective of Horizons' role in leading and advocating for land transport outcomes in the region.

Horizons generally supports plan changes to provide for growth that have as their basis a growth strategy and/or master plan. This approach is, in general, considered to give effect to One Plan Objective 3-3 and Policy 3-4, both of which provide for the strategic integration of infrastructure with land use. However, we do not unreservedly support all provisions as proposed, as set out in our comments below.

¹ As set out in section 75 of the Resource Management Act 1991

Our submission is focused primarily on stormwater and transport.

Stormwater

Horizons acknowledges the emphasis on managing both quality and quantity of stormwater, recognising the need to avoid stormwater discharges into Lake Horowhenua and the Koputaroa Stream. As you will be aware, the lake is a threatened habitat; activities affecting it are therefore subject to strict controls in the One Plan; discharges of stormwater into the lake has a non-complying activity status under the regional plan. The lake is also below national bottom lines for lake attributes set in the National Policy Statement for Freshwater Management 2020, and must consequently be managed to ensure that its health and well-being is improved. The Koputaroa catchment already has known flood-carrying capacity issues. Indicative ponding information² suggests there may be some areas in Taraika that are prone to surface ponding during high rainfall events and wet periods of the year.

We support the following provisions:

- Objective 6A.3;
- Policies 6A.3.1 and 6A.3.3;
- Objective 6A.6;
- Rule condition 15A.6.2.1 Rainwater Tanks; and
- Rule conditions for subdivisions requiring compliance with Chapter 24 requirements for water supply, wastewater and other services (for example 15A.8.1.2 (b) Conditions) (iii).

However, we consider that the policies that support Objective 6A.6 may not be sufficiently explicit in relation to enabling the use of public parks and reserves for purposes other than recreation. We request the following amendment to Policy 6A.6.2 to clarify this intent:

Ensure public parks and reserves are of a size, shape and type that enables ~~a~~ functional, and recreational uses by requiring all subdivision and development to comply with Structure Plan 013.

Similarly, Rule 15A.8.1.2 Subdivision (a) Matters of Discretion (vi) does not refer to this functional aspect; we request that all provisions using this wording be amended³ and suggest the following would provide HDC with discretion to consider this matter:

(vi) Provision of land for publically accessible open space and recreation that is appropriately located and of a practicable size and shape to support management of stormwater during heavy rain events, in accordance with Structure Plan 013.

We also support the inclusion of the provision of stormwater management and disposal (and other servicing) as a matter of discretion in the rules for subdivision across the zones, given that this is supported by conditions requiring all subdivisions to comply with the requirements of Chapter 24. Rule 24.2.4, which includes a condition to collect and contain contaminants and dispose of surface water onsite for the whole upstream catchment, with sufficient capacity to serve expected future development, will therefore apply.

Horizons notes that the proposed requirements for rainwater tanks on dwellings will have a role in assisting HDC to manage water supply demand for non-potable domestic uses (as described, for example, in section 3 of the 3 Waters Infrastructure Plan: Taraika Master Plan

² Which can be provided on request.

³ Deletions are shown as ~~strike through~~ and insertions as underlined text.

October 2020 document). Given that it is extremely unlikely that additional potable water would be available from Levin's existing water source, the Ōhau River, or from groundwater sources, this measure to store water for domestic use is supported. We acknowledge that the current proposal enables HDC to impose conditions or decline consent for dwellings that will not meet rule condition 15A.6.2.1 for rainwater tanks. However, given the reliance on these tanks in managing stormwater in particular, we consider it would be appropriate to impose a non-complying activity status in these circumstances.

Together, we consider these provisions with the requested amendments (in conjunction with existing operative plan requirements, including compliance with HDC's Subdivision and Development Principles and Requirements) would provide HDC with the means to prevent any increase in stormwater discharge or overland flow to Lake Horowhenua and Koputaroa Stream.

Horizons notes that the 3 Waters Infrastructure Plan (section 6) stating that

Large private car parks (>10 vehicle), service stations and commercial roofs (over 500 m²) shall provide their own water quality treatment to be approved by HDC and supported by appropriate maintenance contracts.

There do not appear to be any provisions proposed in PPC4, or in the operative plan, to explicitly implement this approach to stormwater quality management. We acknowledge that there are policies and rules within the wider framework that enable HDC to manage stormwater quality generally; for example, Policy 6A.3.1 that provides for HDC to require an integrated approach to managing stormwater (both quality and quantity), Rule 24.1.5 requires developers to pay to provide for a system that will contain water-borne contaminants on-site, and matters of discretion include provision of servicing including stormwater management and disposal. However, our reading of PPC4, Chapters 15, 17 and 24, and HDC's Subdivision and Development Principles and Requirements (July 2014) did not identify any rule or standard requiring the described ongoing management regime for these activities. Given that the 3 Waters Infrastructure Plan appears to be relying on this approach to manage impacts on water quality in Lake Horowhenua in particular, we request that PPC4 be amended to incorporate it into the regulatory framework by including appropriate rule conditions and standards, and any further or alternative amendments or consequential amendments necessary to achieve this outcome.

Transport

Horizons' comments on proposed provisions relating to transport networks, modes, safety and connectivity are made in the context of the Regional Land Transport Plan 2015-25 (2018 review) (RLTP) and One Plan Policy 3-7. The former includes six regional objectives, of which the following are most applicable here:

3. A safe land transport system increasingly free of death and serious injury; and
4. A reliable multi-modal transport system with less modal conflict, including walking and cycling, that mitigates potential environmental effects and improves environmental outcomes.

These strategic priorities have been identified to deliver the objectives:

- An integrated walking and cycling network; and
- Effective, efficient, accessible and affordable multi-modal transport networks.

The RLTP is currently being reviewed, with the consultation period set for 9 February to 17 March. The draft plan includes in even stronger emphasis on connectivity, user choice, public transport and safety.

One Plan Policy 3-7 (c) states:

Territorial Authority decisions and controls on subdivision and land use must ensure that sustainable transport options such as public transport, walking and cycling can be integrated into land use development.

Horizons supports the inclusion of objectives, policies and rules to provide for connectivity, safety, and choice, but notes the lack of specific provision for public transport in the proposed plan provisions (and indeed in the Tararua Master Plan). We also support in principle the intent of the structure plan and supporting provisions to encourage medium density development in the centre of the Tararua area, as this would support connectivity, and active and public transport options.

Specifically, Horizons supports:

- Those parts of Objective 6A.1 relating to transport, including safe and efficient walking and cycling options, and well-connected, safe and efficient roading network;
- Policy 6A.1.1 (as it relates to connectivity); and
- Rule condition 15A.6.1.1 Vehicle Access into Strategic Cycleways.

We request that Policy 6A.1.5 be amended to include public transport as follows:

Require subdivision layout to ensure street design enables the safe and efficient movement of people, ~~and~~ traffic and public transport, provides a high level of safety and amenity for pedestrians and cyclists, and contributes positively to the public realm.

Horizons supports Objective 6A.4 as it relates to achieving a walkable residential environment and Policy 6A.4.2. However, we request that these provisions be amended to include reference to connectivity:

Objective 6A.4: Achieve a high amenity, connected, walkable environment...

Policy 6A.4.2: Enable and encourage a range of housing types and section sizes in Tararua to meet the variety of needs and preferences in our community, while ensuring a high level of residential amenity and connectivity.

We support rule 15A.8.1.2 Subdivision (a) Matters of Discretion (x) and (xi); we request the following amendment to (viii) to provide for public and school bus services:

(viii) The provision of any new roads, cycleways, provision of linkages to existing roads, access over or under railway lines, the diversion or alternation of any existing roads, the provision access, passing bays, car parking and manoeuvring areas, bus stops and turning areas, and any necessary easements.

We also urge HDC to consider provision for safe and easy egress for public and school bus services into the area from Arapaepae Road and along the arterial road connections within the structure plan. This would include the ability for the bus to turn at the terminus of the route, avoiding the need for loops. The road layout would need to facilitate provision of bus stops.

The structure plan clearly connects with the existing Levin urban area by road and the strategic cycleways, and we acknowledge that the Taraika Master Plan (section 1) indicates that two cycle / pedestrian bridges are planned. However, how safe crossing over the highway on the planned three street crossings will be achieved is unclear and of concern to our Transport team considering the volumes of traffic involved. Consideration of how connections between these areas will be provided for before and during construction of the Ōtaki to North Levin road, particularly for pedestrians and cyclists, is needed.

Other matters:

Natural hazards: We note that the section 32 report states that there are no known natural hazards in the area. Horizons does not hold any modelled flooding information for the area, and our indicative flooding information does not include this area. This does not mean that there has been no flooding in the past, just that Horizons has no record of any. We also acknowledge that HDC has obtained advice on liquefaction risk.

We support the inclusion of avoidance or mitigation of natural hazards as a matter of discretion in subdivision rules in Chapter 15A. Rule 15A.8.3.1 (a) Matter of Discretion (ix) includes a note referring plan users to a 2008 Horizons report for hazard information; we request that this be deleted, consistent with the other provisions in the chapter.

Onsite domestic wastewater: Horizons supports Rule 15A.8.4.1 (b) Condition (i), in particular the minimum lot size of 5,000 m² for subdivision in the Greenbelt Residential General Unserved area, as this is consistent with One Plan Regional Plan requirements for on-site wastewater. We also support the restricted discretionary rule status, which provides for HDC to be able to decline consent, and avoids setting an expectation that development will be able to go ahead when lots smaller than 5,000 m² also require resource consent from Horizons for discharges from domestic wastewater schemes.

Versatile (highly productive soils): Horizons' land use capacity (LUC) information shows that the Taraika area is predominantly Class 3, with a small area (approximately 10 hectares) in the most eastern corner being Class 2. We note that the section 32 report discusses the area in the context of Class 3 soils and the Proposed National Policy Statement for Highly Productive Soils.

Our information indicates that current land use of the area of Class 2 soils is existing reserve and rural residential subdivision rather than productive land use. Provided this is the case, we consider that One Plan Objective 3-4 and Policy 3-5 (which require consideration of retention of Class 1 and 2 soils for use as production land when providing for urban growth and rural residential subdivision) would be unlikely to apply, as the proposed plan change would not have a material effect on the land's availability for productive uses.

Energy efficiency: One Plan Objective 3-2: Energy and Policy 3-7: Energy efficiency address improvements in the efficiency of the end use of energy and use of renewable energy in the region. Of particular relevance to PPC4 is Policy 3-7 (b)⁴, which states:

Territorial Authority decisions and controls on subdivision and housing, including layout of the site and layout of the lots in relation to other houses/subdivisions, must encourage energy-efficient house design and access to solar energy.

As notified, we do not consider that PPC4 gives full effect to this policy.

⁴ Policy 3-7(c) is considered in the previous discussion on transport.

It is our view that access to solar energy is already provided for through District Plan Policy 12.2.3 and permitted activity rules which together enable domestic-scale renewable energy. Policy 12.2.14 is to

Encourage subdivision and development to be designed so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and through other natural elements, to assist in reducing energy consumption.

However, we are unsure how HDC implements this as there do not appear to be any provisions or methods in the operative plan provisions in Chapter 15 Residential Zone, Chapter 22 Utilities and Energy Rules, or Chapter 24 Subdivision. We consider that it is appropriate for a plan change to enable urban growth at the scale of PPC4 should explicitly incorporate this matter, and suggest that this could appropriately be achieved through the following amendments:

Objective 6A.1: To achieve an integrated, efficient and connected development...

- ...
- = Encouraging subdivision and development design to enable energy efficiency and reduced energy consumption
- ...

Insert a new Policy 6A.1.6

Require subdivision layout that will enable building to utilise energy efficiency and conservation measures.

Amend Rule 15A.8.1.2 Subdivision (a) Matter of Discretion (iii):

The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.

Indigenous biodiversity habitat: Horizons' information shows that there are two areas of threatened indigenous forest habitat type in the Taraika area; an aerial photograph showing these areas is **attached**. One is designated as Waiopahu Reserve on the Structure Plan while the area in the northwest of the area does not appear to coincide with the small area shown as Open Space in Arapaepae Road Special Effects Overlay. As these areas meet the description of a threatened habitat type set out in Schedule F of the One Plan, they are both subject to strict controls under the One Plan; most activities, including land disturbance and vegetation clearance, would be regulated as non-complying activities. We urge HDC to confirm that the area to the north-west in particular has been appropriately identified in the structure plan.

One Plan requirements: In addition to the areas of indigenous biodiversity habitat, there are also several waterways flowing through the Taraika area which we note have the One Plan Domestic Food Production Value. Activities in and adjacent to these water bodies or in threatened habitat are likely to require resource consent under One Plan rules. We request that a generally worded note for plan users be inserted near the beginning of Chapter 15A, advising them that the One Plan regulates a number of activities commonly associated with subdivision and development, including but not limited to land disturbance, vegetation clearance, activities in and adjacent to waterways or in areas of indigenous biodiversity habitat, drilling bores and discharges from on-site wastewater systems.

Summary of decisions sought

Horizons seeks retention of the following provisions as notified:

- Those parts of Objective 6A.1 relating to transport, including safe and efficient walking and cycling options, and well-connected, safe and efficient roading network
- Policy 6A.1.1 (as it relates to connectivity);
- Objective 6A.3;
- Policies 6A.3.1 and 6A.3.3;
- Objective 6A.6;
- The inclusion of avoidance or mitigation of natural hazards, and the provision of stormwater management and disposal (and other servicing) as matters of discretion in subdivision rules in Chapter 15A;
- Rule conditions for subdivisions requiring compliance with Chapter 24 requirements for water supply, wastewater and other services (for example 15A.8.1.2 (b) Conditions) (iii);
- Rule condition 15A.6.1.1 Vehicle Access into Strategic Cycleways;
- Rule condition 15A.6.2.1 Rainwater Tanks;
- Rule 15A.8.1.2 Subdivision (a) Matters of Discretion (x) and (xi);
- Rule 15A.8.4.1 (b) Condition (i), in particular the minimum lot size of 5,000 m² for subdivision in the Greenbelt Residential General Unserved area;

Horizons requests the following amendments and actions:

- Amend Objective 6A.1:
To achieve an integrated, efficient and connected development...
...
= Encouraging subdivision and development design to enable energy efficiency and reduced energy consumption
...
- Amend Policy 6A.1.5:
Require subdivision layout to ensure street design enables the safe and efficient movement of people, ~~and~~ traffic and public transport, provides a high level of safety and amenity for pedestrians and cyclists, and contributes positively to the public realm.
- Insert new Policy 6A.1.6:
Require subdivision layout that will enable building to utilise energy efficiency and conservation measures.
- Amend Objective 6A.4:
Achieve a high amenity, connected, walkable environment...
- Amend Policy 6A.4.2
Enable and encourage a range of housing types and section sizes in Tarakia to meet the variety of needs and preferences in our community, while ensuring a high level of residential amenity and connectivity.
- Amend Policy 6A.6.2:

Ensure public parks and reserves are of a size, shape and type that enables a functional, and recreational uses by requiring all subdivision and development to comply with Structure Plan 013.

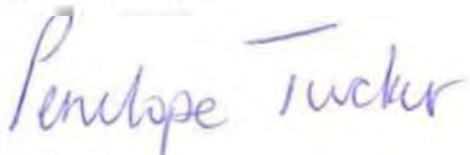
- That dwellings that cannot meet permitted activity condition 15A.6.2.1 Rainwater Tanks have non-complying activity status.
- Amend Rule 15A.8.1.2 Subdivision (a) Matter of Discretion (iii):
The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.
- Amend Rule 15A.8.1.2 Subdivision (a) Matter of Discretion (vi):

Provision of land for publically accessible open space and recreation that is appropriately located and of a practicable size and shape to support management of stormwater during heavy rain events, in accordance with Structure Plan 013.
- Amend Rule 15A.8.1.2 Subdivision (a) Matter of Discretion (viii):
The provision of any new roads, cycleways, provision of linkages to existing roads, access over or under railway lines, the diversion or alternation of any existing roads, the provision access, passing bays, car parking and manoeuvring areas, bus stops and turning areas, and any necessary easements.
- Insert rule conditions and standards in Chapter 15A to incorporate the requirement that large private car parks, service stations, and commercial roofs over 500 m² provide water quality treatment to be approved by HDC and supported by appropriate maintenance contracts.
- Insert a generally worded note for plan users near the beginning of Chapter 15A, advising that the One Plan regulates a number of activities commonly associated with subdivision and development, including but not limited to land disturbance, vegetation clearance, activities in and adjacent to waterways or in areas of indigenous biodiversity habitat, drilling bores and discharges from on-site wastewater systems.
- Consider provision for safe and easy egress for public and school bus services into the area from Arapaepae Road and along the arterial road connections within the structure plan (including the ability for the bus to turn at the terminus of the route, and facilitation of bus stops).
- Consider of how safe crossings and connections between the existing Levin urban area and Taraika will be provided for, including before and during construction of the Ōtaki to North Levin road.
- Ensure that the area of indigenous biodiversity habitat shown on in the north-west part of the attached aerial photograph has been appropriately identified and provided for in the structure plan.

Horizons seeks the relief set out above, or any further, alternative or consequential relief that achieves this outcome.

Horizons reserves the right to be heard in relation to this submission. If others make a similar submission, Horizons would consider making a joint presentation to the hearing panel.

Yours sincerely,



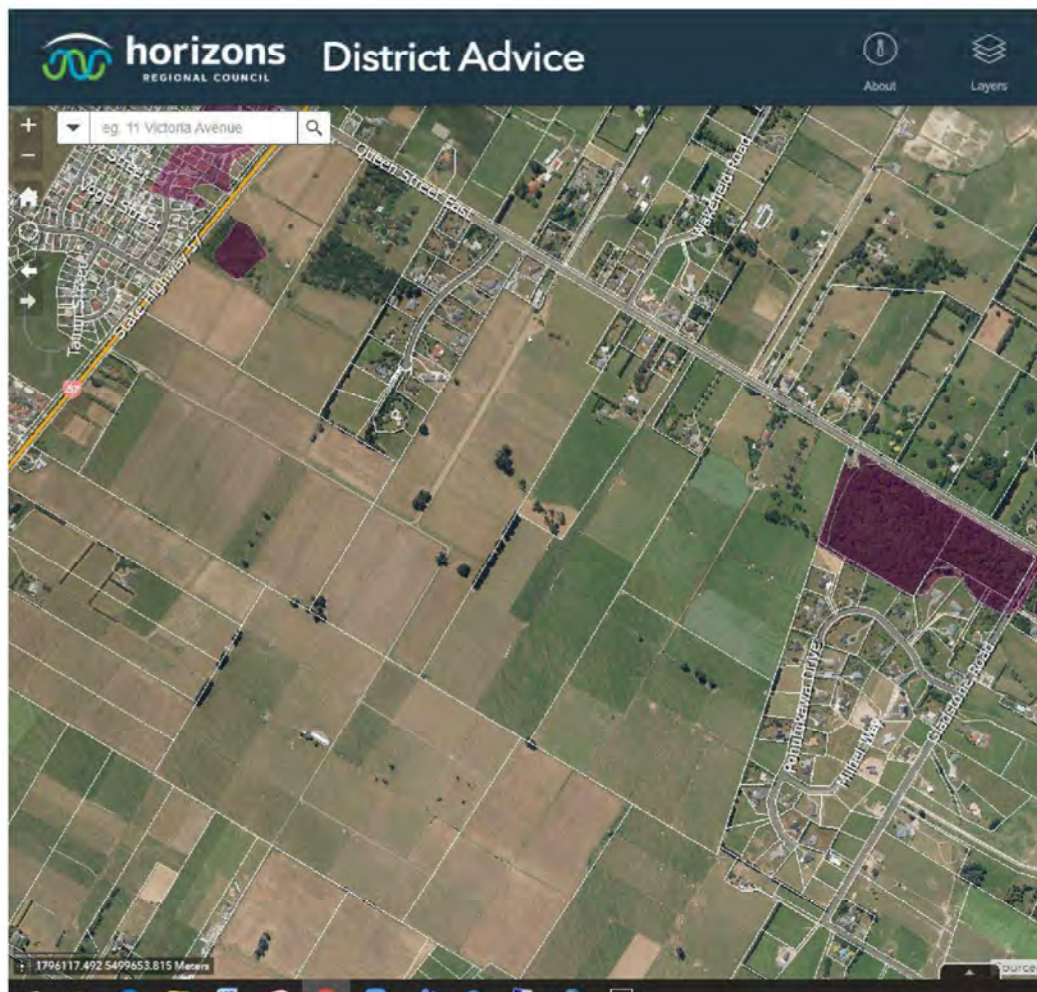
Pen Tucker
SENIOR POLICY ANALYST

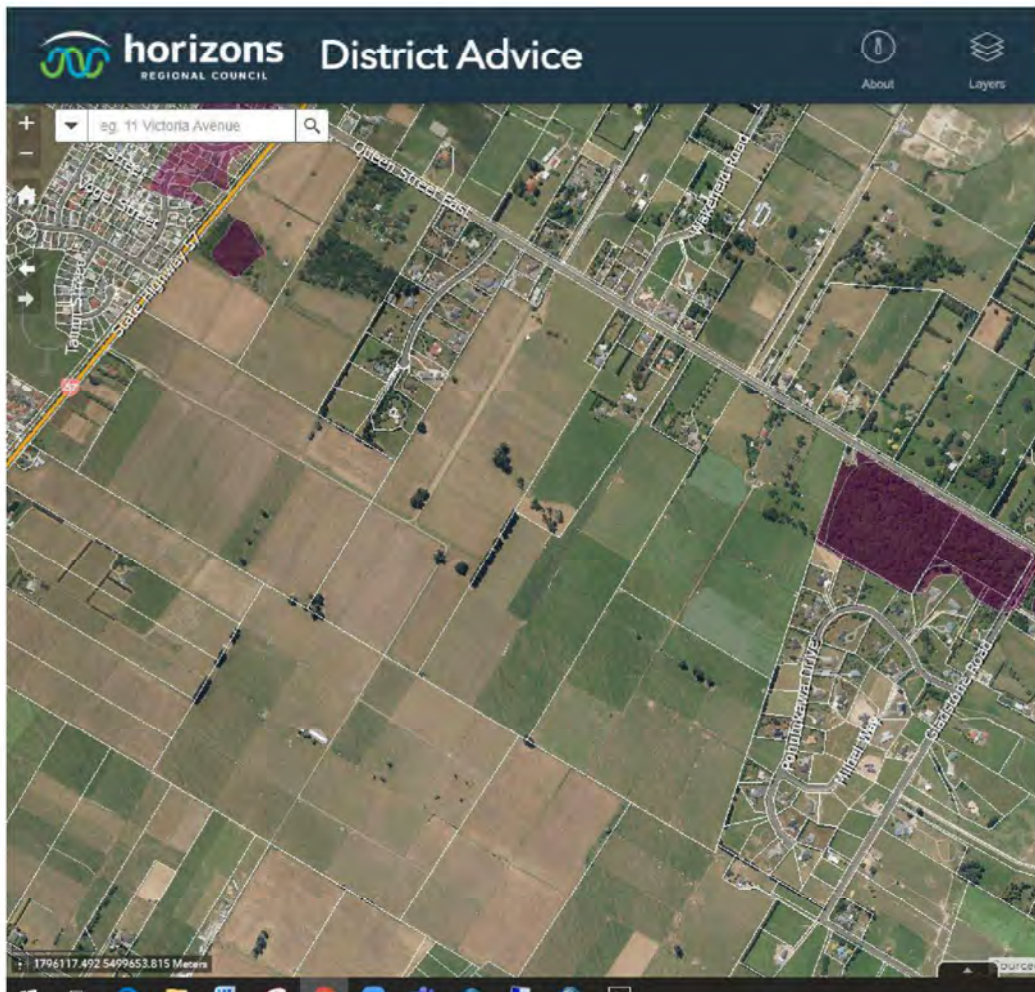
Enclosures Aerial photograph showing areas of indigenous biodiversity habitat

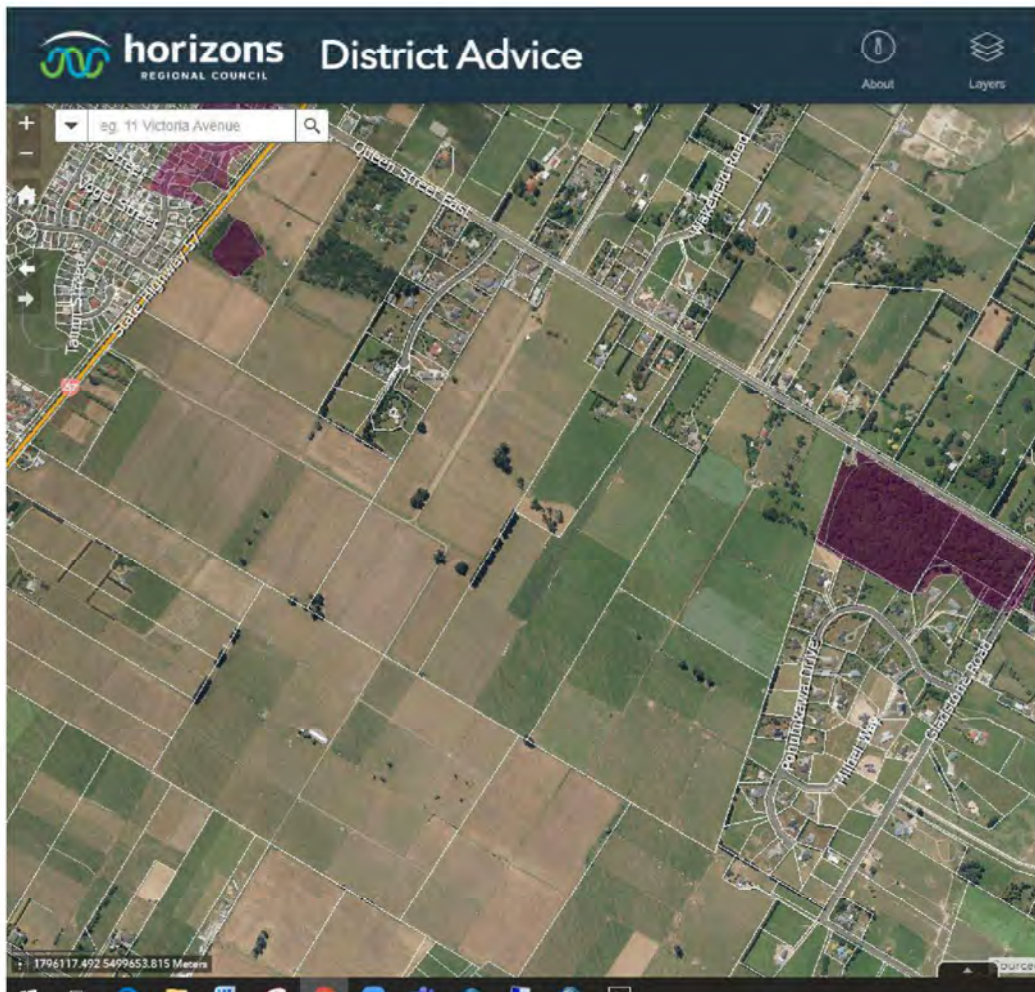
ADDRESS FOR SERVICE:

Pen Tucker
Senior Policy Analyst
Horizons Regional Council
Private Bag 11025
Manawātū Mail Centre
PALMERSTON NORTH 4442

Email: penelope.tucker@horizons.govt.nz







Submission 31 – Tom Anderson on behalf of Redwood Grove Properties

1 February 2021

Strategic Planning
Horowhenua District Council
Private Bag 4002
Levin 5540

By email to districtplan@horowhenua.govt.nz

Dear Sir/Madam

Submission on Proposed Plan Change 4: Taraika Growth Area

This submission is made collectively by the residents of 11, 20, 21, 22, 26, 27, 32, 37, 39, 42A, 42B, 43 and 43A Redwood Grove and 1040, 1046 and 1052 Queen Street East (herein referred to as the '*Redwood Grove residents*') on Proposed Plan Change 4 - Taraika Growth Area (PPC4) to the Horowhenua District Plan.

The Redwood Grove residents have several concerns, with the focus primarily concerning the proposed residential density for our properties and the adjoining properties, as well as concerns with consultation and proposed infrastructure. There are also concerns about funding, and a request for the Plan Change to be heard by independent commissioners experienced in large Plan Change processes. These matters are discussed below.

Further, we have sought advice from Tom Anderson, Principal Planner and Director of Incite, a Resource Management consultancy. Mr Anderson's advice to us is attached to, and forms part of, this Submission (see Appendix A).

RMA Form 5

This submission forms the Redwood Grove resident's submission on PPC4. To ensure it is completed in the format prescribed under Form 5 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, the following is provided:

To: Horowhenua District Council

Name of Submitter: The Redwood Grove Residents, being the owners and occupiers of 11, 20, 21, 22, 26, 27, 32, 37, 39, 42A, 42B, 43 and 43A Redwood Grove and 1040, 1046 and 1052 Queen Street East, Levin

This is a submission on a change proposed to the following plan (the proposal): Proposed Plan Change 4: Taraika Growth Area to the Horowhenua District Plan 2015

The Redwood Grove residents could not gain an advantage in trade competition through this submission.

The Redwood Grove residents are directly affected by an effect of the subject matter of the submission that –

- (a) adversely affects the environment; and
- (b) does not relate to trade competition and the effects of trade competition.

The specific provisions of the proposal that this submission relates to are:

- PPC4 Planning Map 30
- Objective 6A.1
- Objective 6A.4
- Policies 6A.4.1, 6A.4.2 and 6A.4.3

[Full details of the changes sought to these specific provisions are outlined below]

The Redwood Grove resident's submission and decision sought from Horowhenua District Council is provided below.

The Redwood Grove residents wish to be heard in support of their submission, and if others make a similar submission, will consider presenting a joint case with them at a hearing.

pp 

.....
Otto Bats (owner of 43 and 43A Redwood Grove), authorised to sign on behalf of the Redwood Grove residents

1 February 2021

Electronic address for service of submitter: c/- tom@incite.co.nz and IBSB@xtra.co.nz

Telephone: 04 801 6862

Postal address: c/- Incite, PO Box 2058, Wellington 6140

Contact person: Tom Anderson, Principal Planner/Director, Incite

Density proposed for Redwood Grove

Planning Map 30 of PPC4 shows that the zoning for Redwood Grove and its immediately adjoining area is Residential. An excerpt from this Planning Map is provided below:

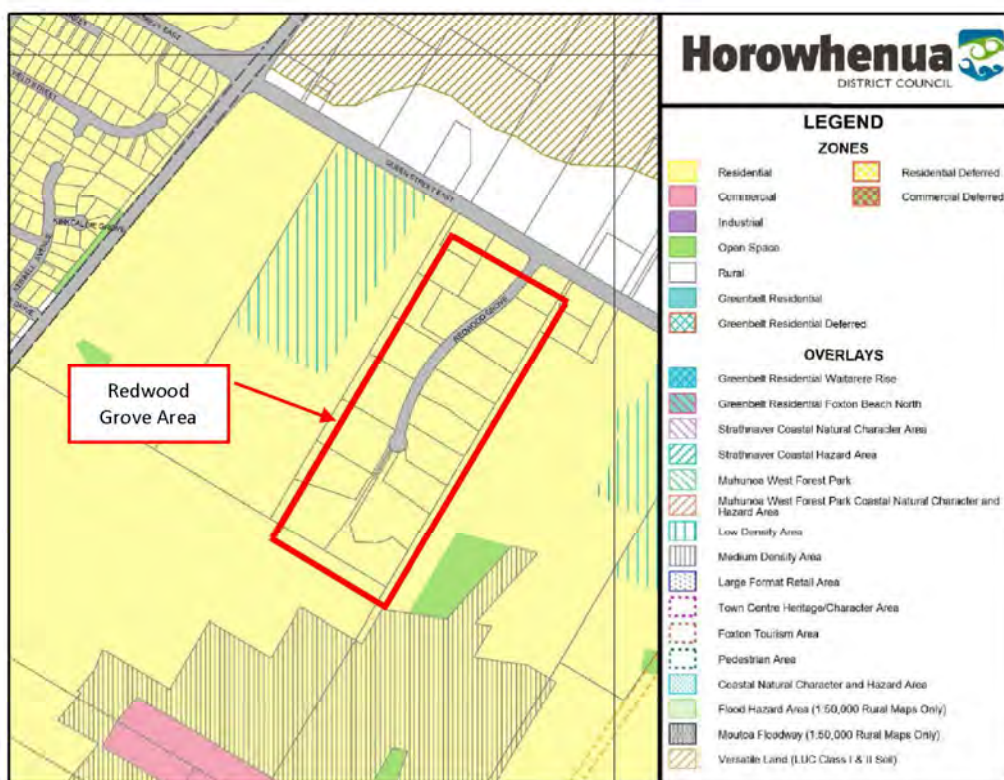


Figure 1: Excerpt from PPC4 Planning Map 30

PPC4 seeks that subdivision in the Residential Zone has a Minimum Net Site Area of 330m², with a Minimum Shape Factor of 13m, a Maximum Block Length of 200m and have at least 7m of Road Frontage¹.

Such a subdivision cannot legally be achieved for the properties represented by this submission, due to a Covenant on the Record of Title for each allotment which is represented by this submission, which states that *“no Lot or remainder, may be smaller than 4000 square metres”*. A copy of the Covenant is provided in Appendix B. Consequently, the zoning proposed under PPC4 is unlikely to ever be realised in the area.

Likewise, the Structure Plan for PPC4², of which an excerpt is provided below in Figure 2, shows proposed local roads across 42A, 42B, 43 and 43A Redwood Grove. The aforementioned Covenant also states that *“To maintain a private cul de sac environment with limited traffic flow no road, private or public, is allowed to be created between the proposed road, through or across any of the sections in this subdivision, whether to any other Lot therein or to any other adjoining property at any time*

¹ Detailed in Table 15A-3 of Proposed Plan Change 4 – 15A Rules: Taraika Multi-Zone Precinct of the available Proposed Plan Change Documents on the Horowhenua District Council website

² Proposed Plan Change 4 – Taraika Structure Plan 013 of the available Proposed Plan Change Documents on the Horowhenua District Council website

hereafter". Consequently, the roading shown on the Structure Plan is unlikely to ever be realised across the four aforementioned properties.

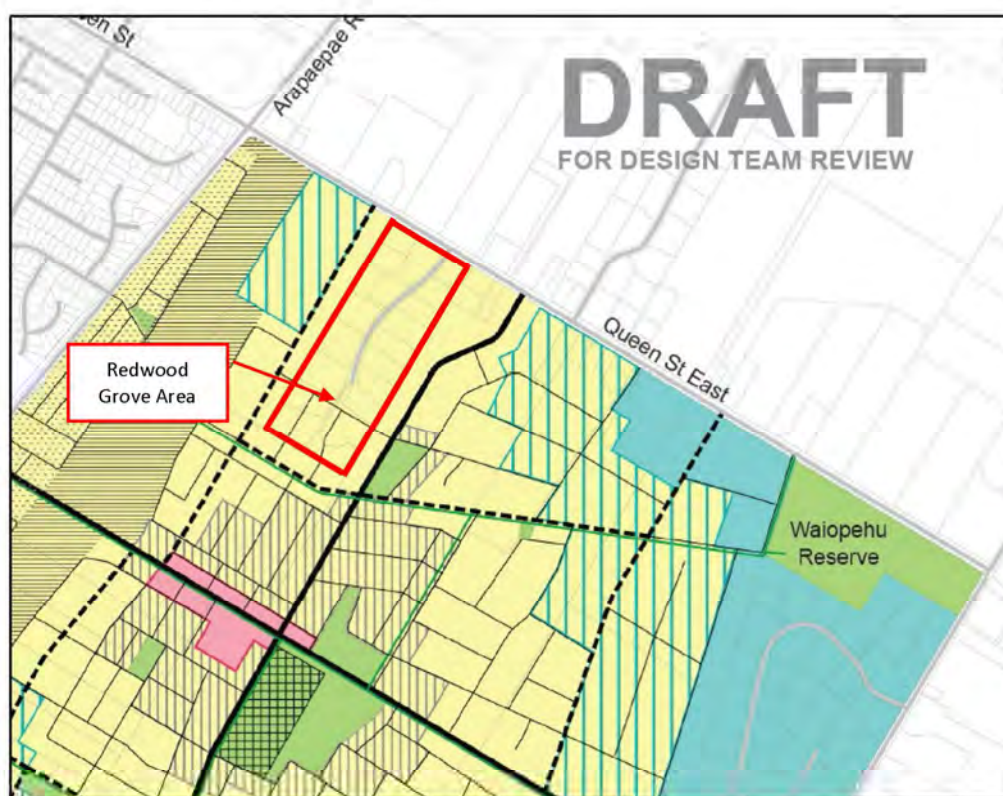


Figure 2: Excerpt from Taraika Structure Plan 013 as notified

Objective 6A.4 of PPC4³ seeks that an outcome of PPC4 is to “achieve a high amenity, walkable residential environment with a range of section sizes and housing types, including affordable housing options, in Taraika”. The intent of this Objective is supported, and it is noted that Redwood Grove, with the current Covenant limiting subdivision to allotments no smaller than 4000m² assists in the achievement of the Objective.

Consultation with Redwood Grove Residents

During the consultation period for PPC4 (August 2020), the residents of Redwood Grove were consulted on the Taraika Master Plan. A copy of this Master Plan is provided on the PPC4 section of the Horowhenua District Council website. As can be seen on the excerpt below, the Master Plan does not anticipate a level of density expressed under PPC4 Table 15A-3 for Redwood Grove or its adjoining land. As such it is not representative of the zoning proposed for the area on PPC4 Planning Map 30, as shown in Figure 1 above. Rather, it retains the existing layout of Redwood Grove, and also details a relatively low density of residential subdivision on the properties adjoining the Redwood Grove

³ Detailed in Proposed Plan Change 4 - 6A Objectives & Policies: Taraika Multi-Zone Precinct of the available Proposed Plan Change Documents on the Horowhenua District Council website

properties. There is no indication on the Taraika Master Plan or its immediately adjoining land of being suitable for Standard Residential development with section sizes as small as 330m².



Figure 3: Excerpt from the Taraika Master Plan as issued 18 November 2020

Likewise, the Master Plan does not show the local road connections detailed on the as notified Taraika Structure Plan 013.

Consequently, the level of development anticipated for Redwood Grove and its surrounds through PPC4 by the Redwood Grove residents was as per the Taraika Master Plan, rather than what has materialised on PPC4 Planning Map 30.

Prior to notification of PPC4 (16 November 2020), an Ordinary Council Meeting was held on 11 November 2020. PPC4 and the Taraika Master Plan were adopted at this meeting, allowing notification to occur. Attached to the agenda for that meeting was a version of the Taraika Structure Plan which differs from that which was subsequently notified. An excerpt from the Structure Plan considered at the Ordinary Council Meeting held on 11 November 2020 is as follows:

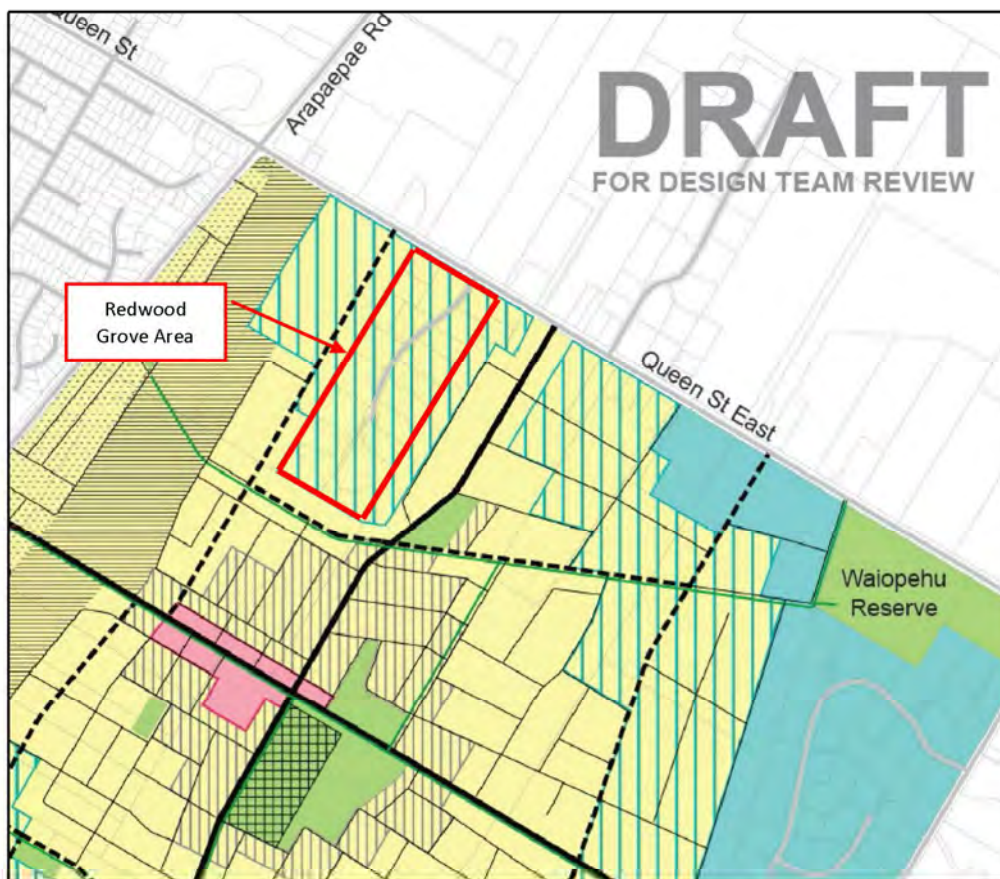


Figure 4: Excerpt from Taraika Structure Plan 013 as considered by Council on 11 November 2020

The version considered by Council on 11 November 2020 better reflects the Master Plan, which was used for consultation in August 2020. This is because the area hashed in blue which covers Redwood Grove is a *Low Density Residential* overlay.

Under the Table 15A-3 of PPC4, sites within the Low Density Residential overlay are proposed to have a Minimum Net Site Area of 1000m², with a Minimum Shape Factor of 18m, and have at least 7m of Road Frontage. While this does not align with the Covenant requirements of 4000m² minimum section sizes, it is better aligned than the Standard Residential requirements. It also continues to provide for PPC4 Objective 6A.4, in that it provides for higher amenity of the Redwood Grove properties, as well as a for a range of section sizes across the entirety of the Plan Change area.

Further, the Low Density Residential overlay provides an appropriate transition from the land immediately north of Queen Street East, which is outside of the PPC4 are and as such will retain its current Rural zoning, through to the area south of the Redwood Grove properties, which are zoned Residential, Residential with a Medium Density Area overlay and Commercial – each of which providing for an increased density of buildings. The current PPC4 proposal to utilise Queen Street East as the division between the openness of Rural land and the density of standard Residential is a harsh and obvious boundary, whereas graduating the density from rural in the north to commercial in the south (as is proposed in PPC4 both east and west along Queen Street East) by utilising either the Low Density overlay or zoning the land Greenbelt Residential, allows PPC4 to better assimilate into the surrounding environment.

Proposed Infrastructure

The Redwood Grove residents are also concerned about how the infrastructure to serve the subdivision may impact the current amenity that their properties are afforded. This includes the *fixed locations* of the *Arterial Road connection* to the east of the Redwood Grove area and the *Collector road connection* to the west, as shown on the Taraika Structure Plan, as well as any stormwater, wastewater and

drinking water, power, telecommunication and gas infrastructure that is necessary to realise the intent of PPC4.

Currently all Redwood Grove properties have on site stormwater disposal. Some also have on site wastewater disposal. All properties are connected to town supply for potable water, but with varying pressures.

Funding for the Proposed Development

The Redwood Grove residents are concerned that they will be required to provide a financial contribution to the development of the PPC4 area, likely through an increase in rates, given the understanding that Horowhenua District Council do not currently require development of financial contributions.

The Redwood Grove residents currently pay rates which are commensurate to the level of public servicing that the individual sites receive. This is considered to be a fair approach. The aforementioned Covenants are intended to manage the ability and desire for growth within Redwood Grove, and the residents currently have no expectation of receiving additional services or contributing to growth in anyway, and as such will not contribute to any growth funding.

While this is not a matter directly relating to the substance of what PPC4 is seeking to do to the District Plan, it is nonetheless a related matter and one in which we wish to raise our point of view on.

Independent Commissioners

We request that PPC4 is heard solely by suitably qualified and experienced independent RMA commissioners, certified under the Ministry for the Environment's 'Making Good Decisions' course. This is because the PPC4 will enable a fundamental change to the existing environment, and as such requires the consideration of appropriately independent, qualified and experienced practitioners.

Redwood Grove Residents Decision Sought on PPC4

Given the Covenants which apply to the Redwood Grove properties, the need for onsite disposal of stormwater (and for several properties, onsite disposal of wastewater) and to protect existing amenity, and providing for an appropriate transition between the Rural area north of Queen Street East, and the density sought at the core of the PPC4 area south of Redwood Grove, the residents of Redwood Grove seek that:

- the Minimum Net Site Area on their properties, and properties adjoining their properties is 2000m²;
- a mechanism is included in PPC4 which requires as part of any subdivision of adjoining properties to Redwood Grove to provide appropriate screening; and
- the proposed arterial and collector roads from Queen Street east are not located within 100m of the boundary of any Redwood Grove property, and no local roads are shown across any Redwood Grove property.

Each of the above are provided in more detail as follows:

Density

The site is currently zoned *Greenbelt Residential (Deferred)* on Operative District Plan Map 30. It is understood that the deferred zone status has not been uplifted, and as such the Rural Zone rules apply. However, should the deferred zone status be uplifted, the Minimum Area per Allotment/Site is 2000m²

if it is serviced, and 5000m² if it is unserviced. This aligns with the Greenbelt Residential standards for PPC4.

As has been stated, the Redwood Grove properties contain a mix of serviced and unserviced properties, as well as being subject to the 4000m² minimum lot sizes in the applicable covenants. Consequently, the most appropriate zoning for the land, out of the options available in the Operative District Plan, is Greenbelt Residential. However, after some consideration between the individuals who form part of this group, the Redwood Grove residents would be happy for their site, and the adjoining sites, to be zoned Low-Density Residential, but with a 2000m² minimum net site area.

Therefore, a change is sought to PPC4 Planning Map 30 showing that all properties on and adjoining to Redwood Grove as being zoned Low Density Residential, with a 2000m² overlay. A copy of the area subject to this overlay is provided on the Map provided in Appendix C. This Overlay could be described as the *Redwood Grove Buffer*.

A subsequent change is then sought to Table 15-3A of PPC4, as follows (additional text shown as *italics and underlined*):

Table 15A-3: Standards Applying to Subdivision and Residential Dwelling Units

<i>Residential Zone</i>	<i>Minimum Net Site Area</i>	<i>Maximum Net Site Area/Maximum Density</i>	<i>Minimum Shape Factor</i>	<i>Other Requirements</i>	<i>Road Frontage</i>
<u><i>Redwood Grove Buffer</i></u>	<u><i>2000m²</i></u>	-	<u><i>20m</i></u>	<u><i>N/A</i></u>	<i>All sites must have road frontage for at least 7m</i>

Such a change will continue to give effect to Objective 6A.4 of PPC4 as the Plan Change will continue to provide for a range of section sizes. It will assist in achieving a cohesive, logical layout by graduating the increase in density between the northern and southern sides of Queen Street East from the Rural Zone on the northern side of that Road, through to the various densities proposed within PPC4.

Screening

A further change is sought to PPC4 Planning Map 30, detailing areas adjoining the Redwood Grove properties where members of this group seek screening on the common boundary, which is to be implemented at the time that subdivision of those adjoining properties occurs. The screening treatment varies between a 6m wide buffer zone with native plants between 3m and 5m high, or, in some instances, a 2.1m high paling timber fence. Note in some instances no buffer is sought. Consequently, a new Matter of Discretion is sought under provision 15A.8.1.2 Subdivision of PPC4 as follows (additional text shown as *italics and underlined*):

15A.8.1.2 Subdivision (Refer to Rule 1A.3.1(a))

(a) Matters of Discretion

(XXI) Any submission within the Redwood Grove Buffer is to provide screening on the common boundary with any property on Redwood Grove as per the direction detailed on Planning Map 30. In order to satisfy this matter of discretion, the application for subdivision must include details of any landscaping or fencing as per the direction

detailed on Planning Map 30 and must specify mechanisms for ongoing maintenance and legal protection of any necessary screening.

The screens created will appropriately protect the amenity of the existing Redwood Grove properties, as well as providing appropriate privacy to any new adjoining allotments.

Roading

As has been stated, the covenant which applies to the Redwood Grove properties do not allow for any roads to be created. Consequently, it is sought that the local roads shown on Taraika Structure Plan 013 which extend over 42A, 42B, 43 and 43A Redwood Grove (see Figure 2 of this Submission) are removed.

Further, to continue to protect the amenity of the existing Redwood Grove properties, it is sought that the proposed Aerial and Collector Roads to the west and east respectively of the Redwood Grove properties, are amended so that they are located at least 100m from the property boundary of any Redwood Grove property.

Concluding Comment

The Redwood Grove residents would appreciate the opportunity to workshop with Council Officers on the matters raised in this submission at the earliest possible opportunity.

In the interim if you have any questions or comments about this submission please do not hesitate to contact the undersigned.



pp

Otto Bats

On behalf of the owners and occupiers of 11, 20, 21, 22, 26, 27, 32, 37, 39, 42A, 42B, 43 and 43A Redwood Grove and 1040, 1046 and 1052 Queen Street East, Levin

IBSB@xtra.co.nz

021 237 3781

Appendix A:

Planning Advice from Incite

29 January 2021

Redwood Grove Residents
c/- Otto Bats
43/43A Redwood Grove
RD1
Levin 5571

By Email: IBSB@xtra.co.nz

Dear Otto

Re: Proposed Plan Change 4 to the Horowhenua District Plan

As per the instruction received from yourself and the other owners and occupiers of 11, 15, 20, 21, 22, 26, 27, 32, 37, 39, 42A and 42B Redwood Grove and 1040, 1046 and 1052 Queen Street East, Levin, I have been through the documentation as notified by Horowhenua District Council in respect of Proposed Plan Change 4 (PPC4) to their District Plan.

In doing the above, it is my opinion that the subdivision layout proposed on PPC4 District Planning Map 30 does not directly fulfil the Objectives proposed for PPC4, in particular proposed Objectives 6A.1 and 6A.4, as well as subsequent policies 6A.4.1, 6A.4.2 and 6A.4.3. For completeness, the provisions are replicated as follows:

Objective 6A.1- *To achieve an integrated and connected development that reflects cultural values and local identity, represents good urban design, is supported by a well connected roading network that supports a range of transport modes and has the facilities, infrastructure, and amenities necessary to contribute to the health, safety, and wellbeing of residents. This includes:*

- *Encourage housing at a range of densities;*
- *Provision for a local-scale commercial centre;*
- *Access to quality public open space;*
- *Safe and efficient walking and cycling options;*
- *Well connected, safe and efficient roading network;*
- *Design that reflects cultural values and local history and identity;*
- *Protection of culturally significant sites;*
- *Environmentally sensitive design*

Objective 6A.4 - *Achieve a high amenity, walkable residential environment with a range of section sizes and housing types, including affordable housing options, in Taraika.*

Policy 6A.4.1 - *Optimise walkability and encourage choice and a variety of housing types, by providing for higher density residential development near to commercial and community facilities and lower density residential development at the outer edge of Taraika.*

Policy 6A.4.2 - *Enable and encourage a range of housing types and section sizes in Taraika to meet the variety of needs and preferences in our community, while ensuring a high level of residential amenity.*

Policy 6A.4.3 - *Use both minimum and maximum density standards to encourage housing variety and to ensure development occurs at a scale and density consistent with the amenity expected for that particular area.*

The key operative terms in Objective 6A.1 are the desired achievement of “an integrated and connected development” that “encourages housing at a range of densities” and have a “design that reflects...local history and identity”

In Objective 6A.4 and its subsequent policies, it is the desire to achieve “a range of section sizes and housing types”, “providing for...lower density residential development at the outer edge of Taraika”, “enable and encourage a range of housing types and section sizes...while ensuring a high level of amenity” and to “ensure development occurs at a scale and density consistent with the amenity expected for that particular area”.

In my view, the stated objectives and policies are appropriate, and I do not consider that any changes to these are necessary.

I also understand, based on our meeting of 16 December 2020, that the expected amenity for you and the other Redwood Grove residents is of a quiet, private, semi-rural setting which is close to the Levin town centre.

In reviewing PPC4 as a whole, I consider that the zoning shown for the Redwood Grove properties on the Taraika Structure Plan as notified (which has been replicated on PPC4 Planning Map 30) does not give effect to the outcomes sought for PPC4, as stipulated by the aforementioned Objectives. To progress this point further, I have included a copy of Structure Plan below for reference:



Figure 1: Taraika Structure Plan As Notified

For the most part, the Taraika Structure Plan shows that at its northern, eastern and southern margins, the proposed land use is either Low Density Residential (anticipated section sizes of 1,000m²), or greenbelt residential (anticipated section sizes of either 2,000m² of 5,000m² depending on if allotments are serviced by infrastructure). This appropriately provides for the Objectives and Policies, as it integrates the margins of the PPC4 Area with the surrounding Rural zoned land, provides a nod to the local rural history of the area, and provides for larger section sizes so is part of the offering of a range of section sizes, density and amenity sought.

However, for reasons which are unclear to me, the Structure Plan does not provide for a similar transition of either Low Density Residential or Greenbelt Residential across the Redwood Grove area, rather it shows the land, and its neighbouring land, as proposed to be zoned for Residential (anticipated section sizes of 330m²). In my view, this does not integrate that area of PPC4 with the surrounding land use, and has the potential to create an unusual land development pattern along Queen Street East of rural land uses on the northern side and dense urban land on its southern side (notwithstanding that, as seen in Figure 1 above, land east and west of the Redwood Grove area which adjoins Queen Street East and is within PPC4 is zoned Low Density Residential or Greenbelt Residential).

In my view, the Redwood Grove area, and its surrounds, should not be zoned Residential, but would be more appropriately zoned as either Low Density Residential, Greenbelt Residential, or another zone type which provides for a density between these two options. Changing the zoning of the Redwood Grove area to one of those three options would effectively close the 'ring' of low density zones which otherwise exist around the northern, eastern and southern margins of PPC4, thereby giving effect to Policy 6A.4.1.



On the face of it, the most logical option for zoning the Redwood Grove area would be Low Density Residential, so that it matches the zonings of the land to the east and west. Complicating this however is the fact that not all allotments within Redwood Grove are connected to reticulated public services, and therefore the anticipated lot size of 1000m² under the Low Density Residential zone would not be sufficient to allow for on site stormwater and wastewater disposal. This however could be rectified with infrastructure works taking place. If infrastructure works were not to take place, then there is a case that the zoning applied to the Redwood Grove area should be Greenbelt Residential, which would allow the allotments within Redwood Grove that are serviced to be a minimum of 2,000m². Those that are not serviced would be subject to a minimum lot size of 5000m².

Of course, overlaid to this is the existing covenants which apply to the Redwood Grove allotments stipulating a minimum allotment size of 4000m².

Overall, it is my view that the current zoning proposed on the PPC4 Structure Plan and Planning Map 30 for the Redwood Grove area does not align with the Objectives and Policies proposed for PPC4, and that this situation would be remedied by providing for a lower density in this area, akin to what has otherwise been proposed on the margins of PPC4.

I can confirm that I am happy for this letter to form part of your submission on PPC4.

Yours sincerely

Incite

Tom Anderson

Director/Principal Planner

tom@incite.co.nz

04 801 6862

027 231 0246

Appendix B:

Copy of Covenant which is registered on the Record of Title for all Redwood Grove Properties and 1040, 1046 and 1052 Queen Street

Covenants

The purchaser acknowledges and agrees that the land he/she is buying is part of a scheme development of a modern and well-designed rural residential subdivision. In order to preserve, in a harmonious manner, the visual and ecological amenities of the subdivided land the vendor will exercise a degree of supervision and control over the nature and type of construction or other improvements erected on or planted in the subdivided land. To this end the vendor will impose restrictive covenants on such lots as the vendor in its absolute discretion considers suitable for such covenants. Such covenants shall run with the land and shall be imposed on the appropriate Titles. The Purchaser agrees to be bound by such covenants and agrees to comply with the following Terms and Conditions:

1. Dwelling:

- 1.1. Not to erect or to permit to be erected on the land subject of this agreement any building other than a new residential property. Such building shall comprise a private dwelling with garage and/or carports or other improvements and in accordance with plans and specifications submitted to the vendor for approval. The primary objective in reviewing plans will be to ensure that the overall high standard of buildings is retained within the subdivision. If the plans show lack of any design and / or any character and / or any style, the vendor shall have complete discretion in granting or declining approval.
- 1.2. Not to alter in any significant manner any such plans and specifications for a building or buildings on the said land to which the vendor may have given approval as aforesaid in order to deviate significantly therefrom and to prevent any significant deviation therefrom in the construction of any dwelling or other works without first obtaining approval from the vendor to any such change in the same manner as fore said.
- 1.3. Not to erect any dwelling house containing a floor area of less than 120 square meters exclusive of roof overhangs, verandahs, decking, garaging and carports and any other accessory building.
- 1.4. Not to erect any dwelling house closer than 15 metres to the neighboring boundaries unless the prior written consent of the neighbor from the adjoining property has been given to build closer, but not closer than a minimum distance of 9 metres measured from the boundary.

2. Construction:

- 2.1. The building must be constructed of high quality building materials with the outside wall areas clad in one of the following materials: Kiln fired brick, Concrete bricks or split stone, Natural stone, Paint finished plaster stucco, Plaster or textured finished concrete blocks, Timber weather boarding or vertical boarding, Textured coated and painted Insuclad. No other material will be used unless prior written approval has been given by the vendor.





- 2.2. The building must be constructed of high quality building materials with the roof having a pre-painted finish or be constructed from permanent materials.
 - 2.3. Not to use any pre-used building materials in the construction of any buildings or fencing on the property, unless the prior written consent of the vendor has been given.
 - 2.4. The building must be closed in and weatherproofed within 12 months of the laying of the building's foundations.
 - 2.5. Not to permit any building or associated works in the course of construction to be left without substantial work being carried out for a period exceeding three months.
 - 2.6. All materials which are not pre-finished and which require painting be painted within three months of attachment to the building.
3. Subdivision:
- 3.1. No re-subdivision of the lot will be allowed for 5 years from the date of signing this contract.
 - 3.2. To maintain the rural environment, if any Lot be subdivided after that period, no Lot or remainder, may be smaller than 4000 square metres.
 - 3.3. To maintain a private cul de sac environment with limited traffic flow no road, private or public, is allowed to be created between the proposed road, through or across any of the sections in this subdivision, whether to any other Lot therein or to any other adjoining property at any time hereafter.
4. Appearance:
- 4.1. The building will not be occupied or used as a residence until it has been substantially completed.
 - 4.2. The purchaser shall not erect or place nor permit to be placed upon the lot any relocatable or second-hand building of any kind whether a dwelling house, garage, flat, carport or any other structure unless the prior written consent of the vendor has been given. The vendor shall have complete discretion in granting or declining approval and its primary objective in reviewing applications will be to ensure that the overall high standard of buildings is retained within the subdivision.
 - 4.3. The purchaser shall not erect or place nor permit to be erected or placed upon the Lot any caravan, hut, tent or shed to use as a dwelling except such as may be used in conjunction with the construction of permanent buildings and which will be removed from the lot upon completion of the work and not later than twelve months after laying of the buildings foundations.

- 4.4. The purchaser shall not permit to be brought onto or remain on the Lot any materials, debris, rubbish, trade vehicles, trade equipment or trade signs other than is reasonably necessary during the time building is in progress on the Lot.
- 4.5. Not to construct or form any driveway or vehicle access way on the property other than to a minimum standard of metalled with road metal and all the driveways and vehicle access ways shall be kept in a neat and tidy condition.
- 4.6. Not to permit or suffer any advertisements, sign or hoarding of a commercial nature to be erected on any part of the land unless prior written approval has been given by the vendor.

Appendix C:
Changes sought to PPC4 Planning Map 30

Redwood Grove
Existing deferred Green Belt Area
Levin

Legend

-  Overlay of minimum section size of 2000m²
-  6 Meter buffer Zone with native plants between 3-5 meters high
-  2.1 meter high wooden paling Fence at boundary
-  No bufferzone

