



SH 16 Limited

Private Plan Change Request

Maddies Road & Alpine Road, Kaukapakapa

February 2020

1 APPLICANT AND PROPERTY DETAILS

Applicant: SH 16 Limited

Location: Maddies Road & Alpine Road, Kaukapakapa

Legal Description: Lot 2 DP 487393
CT 697200 (Refer Appendix 1)

85 Alpine Road, Kaukapakapa
67 Alpine Road, Kaukapakapa
23 Maddies Road, Kaukapakapa

(these 3 small adjoining rural residential lots included to provide for a simplified zone boundary).

Total Site Area: 28.75 ha

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2 PROPOSAL

The applicant is seeking a Private Plan Change to allow the rezoning of approximately 29 ha of land adjoining existing Countryside Living (CSL) Zoned land in Kaukapakapa from Rural Production to CSL Zone.

Refer location and zoning map at Appendix 2. The proposed plan change area includes 3 existing rural residential lots as well as the larger 25 ha block owned by the applicant. This is to ensure that the extension of the CSL Zone to the north has a rational, simplified boundary.

The proposed rezoning will allow for the development of a minimum of 11 new Countryside Living lots.

The applicant lodged a resource consent application to subdivide Lot 2 DP 487393 in general accordance with the CSL subdivision rules but has since decided that a Plan Change involving a minor adjustment to the existing CSL boundary would be more appropriate than continuing to pursue a non complying subdivision proposal.

The proposed rezoning will result in a minor expansion of the existing CSL Zone to the north, into an area that is visually contiguous with the existing CSL land and topographically contiguous and contained.

Allowing for additional CSL land in an area that is not productive land and is already serviced by a high quality road and intersection will achieve the higher level objectives and policies of the Auckland Unitary Plan, including the Regional Policy Statement. The re-zoning will allow for a density of rural residential development that optimises the efficient use of the land.

Specialist reports on productive capacity, landscape, traffic and engineering have been prepared, along with a cultural impact assessment report. These reports confirm that the rezoning will not result in adverse environmental effects that are any more than minor.

A section 32 report (Appendix 3) has been undertaken and concludes that the proposed rezoning will more effectively and efficiently achieve the objectives of the Auckland Unitary Plan, and the purpose of the Resource Management Act, than the current operative zoning.

All Auckland-wide and CSL zone provisions of the Auckland Unitary Plan will apply to the re-zoned land. No additional provisions are proposed as part of this Private Plan Change.

3 SITE DESCRIPTION & CONTEXT

The site comprises moderate to steep topography, generally facing south east towards an existing high quality Countryside Living (rural residential) enclave, which has been developed off Maddies and Moses Roads. Approximately half of the site is in covenanted native bush, with the remaining area in rough pasture. Access to some of the land can be achieved off Alpine Road, with the balance of the land being accessed off Maddies Road. There are no watercourses on the property.

4 STATUTORY ASSESSMENT

Schedule 1 of the RMA sets out the process for changes to District and Regional Plans. Clause 21 of this schedule states that any person may request a change to a district plan or regional plan.

Clause 22 requires that the request to change a plan must be made to the appropriate local authority in writing and:

- Shall explain the purpose of, and reasons for, the proposed plan change. This is set out in Section 2 of this report.
- Shall contain an evaluation report prepared in accordance with Section 32 of the RMA. Refer Section 32 analysis at Appendix 3 of this report.
- Shall describe the environmental effects of the proposed plan change, taking into account clauses 6 and 7 of Schedule 4. Refer Section 5 of this report.

4.1 Strategic Direction of Relevant Policy Documents

Auckland Plan 2050

The Auckland Plan provides high level guidance in respect of long term future growth opportunities. In respect of Rural Auckland, it is noted (p194) that while growth in rural Auckland will be focused mainly in the towns which provide service hubs for the wider rural area, such as Pukekohe and Warkworth, some growth is also anticipated in the smaller towns and villages, such as Kaukapakapa.

One of the main reasons for seeking to limit uncontrolled growth in rural areas is to preserve the productive capacity of rural land, particularly where there are elite and prime soils.

In the case of this application, the productive capacity of the land is low, and there are certainly no elite or prime soils involved. A report commissioned by the applicant confirms that the 25 ha block owned by the applicant is not an economic unit.

Regional Policy Statement

The relevant objectives and policies at B9 (Rural Environment) and in particular B9.4 (Rural Subdivision), seek to prevent sporadic and scattered subdivision for rural lifestyle purposes. This proposed rezoning involves a minor adjustment to an existing CSL zone boundary, where the land to be rezoned is topographically and visually contiguous with the existing CSL land, and in all other respects is indistinguishable from the existing CSL land.

5 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Background

SH 16 Ltd (the applicant) has been developing lots within the adjoining Countryside Living Zone at Kaukapakapa since 2004.

The area is considered highly suited to rural residential development. Providing for more rural residential development here opens up additional land that is already fully serviced by existing infrastructure.

While the site is zoned Rural Production, it adjoins and is immediately to the north of the existing CSL zone and can easily be accessed via Moses Road, Maddies Road and the new intersection with the highway. The site is a mixture of pasture and regenerating bush. The pasture component was previously pine forest.

The attached report by Hollis & Scholefield Ltd (Appendix 4) confirms that the property has little or no productive potential and would be better suited to rural residential use. The more intensive land management associated with rural residential use will result in better outcomes in respect of weed and pest control.

The adjoining Moses & Maddies Road development in general lies in an area of transition, with formally rural land being developed for rural residential living. The wider area includes approved CSL subdivisions bounded to the west by Alpine Road, and Kaipara Coast Highway (SH16) to the east, with access off Moses Road.

The adjoining Moses Road project is a high quality Countryside Living development, with extensive riparian planting, post and rail fencing and attractive but moderately priced homes having been constructed. Refer photos in landscape report at Appendix 5. It makes sense to take advantage of the services now in place, both on the Moses Road site and more generally in the township of Kaukapakapa.

Kaukapakapa is an expanding residential and commercial hub. There is quality roading infrastructure already in place, including the Moses Road / SH 16 intersection which was constructed to NZTA specifications at a cost to the applicant of over \$1 million.

The site is on the edge of an area of transition. Council granted consent in 2012 to a mixed use commercial development, just 600 m south of the subject site at 1079 Kaipara Coast Highway, Kaukapakapa. This development approval authorises a restaurant, service station, supermarket, offices, commercial premises, shops & live / work units.

The proposed rezoning will bring additional families into the township, which will benefit the school and local businesses.

The site is located well above the 100 year floodplain, unlike some land east of the State Highway, re-zoned in the AUP for residential development (Residential – Rural and Coastal Settlement), which is hard up against the 100 flood plain boundary.

The engineering report prepared by Hutchinson Consultants, confirms that the area has no development constraints in respect of wastewater disposal, stormwater, flooding, or any other engineering matter (Appendix 6). The applicant has also commissioned a geotech report which confirms there are suitable building platforms available for at least 11 new lots (Appendix 7).

In summary then;

- Maddies Road is accessed via an existing NZTA approved, high spec intersection from SH16. The applicant funded the construction of this intersection, at a cost in excess of \$1 M.
- There is existing high quality internal roading infrastructure in place, providing access to the subject site.
- Although currently zoned Rural Production, this land has very little productive potential.
- The proposed site is well clear of the flood zone, which affects land on the other (eastern) side of SH16.
- There are no geotech, wastewater or stormwater issues with the site.
- Kaukapakapa is well serviced with a good school, bus service and growing commercial activities. Allowing the additional further rural residential development will provide for the efficient use of land in an area where services are under utilised.

Rural Character & Amenity

Effects on rural character and amenity will be no more than minor. A landscape assessment has been carried out by Steve Skelton (Appendix 5). This report describes the site and surrounding landscape, and assesses the effects of the proposed rezoning. Design guidelines are proposed for those more elevated potential lots. Additional native planting is also recommended which will link existing areas of native bush and ensure that any new dwellings do not dominate the landscape. These matters can be incorporated into a covenant on the applicant's title, in respect of future subdivision.

The report concludes that any adverse effects on landscape or visual amenity will be no more than minor.

Rural Productivity

The Ray Hollis report at Appendix 4 confirms that outside the covenanted bush, the remaining land is predominantly poor quality pasture. The land cannot be farmed economically and would be better managed under a rural residential land use, with individual owners likely to plant trees on the steeper slopes, and manage the balance more intensively. Leaving the property as an uneconomic grazing block, on the edge of a CSL enclave is not only an irrational waste of land, but is also likely to see a proliferation of invasive weeds species on this rough pasture.

Engineering Matters

The engineering and geotech reports (Appendices 6 & 7) confirm that there are no constraints to the proposed development resulting from the changed zoning.

Traffic

The traffic report (Appendix 8) confirms that the existing intersection between Moses Road and SH 16 is more than adequate for safely and efficiently dealing with the additional lots. The traffic report has assumed up to 20 new lots, but geotechnical constraints are likely to limit the number of suitable building platforms to 11 – 12.

Cultural

There are no particular sites of significance to mana whenua on the property, as identified in the Unitary Plan maps. Consultation has been undertaken with mana whenua (Appendix 9), with confirmation that Iwi are supportive of this proposed change in zoning. The Auckland-wide rules of the Unitary Plan will apply to any future rural residential development of the site, and these rules cover potential effects on cultural values (accidental discovery protocol). The proposed rezoning will not generate any adverse effects on cultural values.

6 LIMITED NOTIFICATION

Clause 5A of Schedule 1 in the Resource Management Act enables limited notification of Plan Changes, if it is possible to identify all persons directly affected by the proposed plan change. In respect of this application it is considered that those parties are;

- Directly adjoining property owners, including the 3 existing rural residential lots located within the proposed plan change area.
- NZTA
- Iwi

It is considered that no other parties will be directly affected by the proposed change in zoning. The area is already dominated by rural residential development, particularly to the south. There are already 3 rural residential / countryside living type lots within the area that is subject to this rezoning application.

In respect of traffic, the applicant has commissioned a traffic engineering report which concludes that there will be no adverse effects on the transport network. However, it is recognised that Kaipara Coast Highway is a limited access road, and NZTA will likely want to comment.

In respect of Iwi, the applicant has consulted with the principle Iwi group for this area, and the only Iwi group that has shown an interest in the applicant's other developments in the area. This group is Ngati Whatua o Kaipara. Their report on the proposal is included at Appendix 9.

As the proposed rezoning will not have broader environmental effects, as assessed in Section 5 of this report, it is considered that limited notification is appropriate for this Private Plan Change request.

7 PART 2 MATTERS

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enable people and communities to provide for their social, cultural and economic well being and their health and safety, while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the proposed rezoning meets these objectives. In particular the proposal will contribute to social and economic wellbeing by increasing housing capacity and choice in the township of Kaukapakapa.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and heritage values from inappropriate subdivision, use and development. There is an area of SEA bush within the proposed rezoning area, but this bush is already covenanted and therefore protected in perpetuity. The area is not an Outstanding Natural Landscape (ONL) and there are no known heritage values associated with the site.

Section 7 identifies a number of 'other matters' which are to be given particular regard to by Council, and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. The proposal is considered to be consistent with the s7 matters, because, in particular, the proposed rezoning represents an efficient use of the land resource, including the existing high quality safe intersection onto Kaipara Coast Highway. Amenity values will be retained through the relatively large lot sizes required by the CSL Zone. The provisions of the Unitary Plan will continue to apply and will enable Council to exert control over subdivision development, including requirements for landscape planting.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The applicant has consulted with the principle Iwi group for this area, the results of which is included at Appendix 10. Further engagement may be required at the time of future development of the land.

Overall it is considered that the proposal is consistent with Part 2 of the Act.

8 CONSULTATION

As discussed above in Section 6, the applicant has consulted with Iwi. The traffic report concludes that there will be no adverse traffic related effects resulting from the rezoning, however it is acknowledged that NZTA will likely wish to comment on the proposal. NZTA have not been directly consulted but it is anticipated that they will be included in the limited notification list of parties.

In respect of adjoining neighbours, none have been contacted directly. It is likely that most will accept that this already an area dominated by rural residential

development, however it is acknowledged that Council will likely wish to include directly adjoining neighbours in the limited notification list.

9 CONCLUSION

The applicant is seeking a private plan change on a limited notified basis, to rezone approximately 29 ha of land in Kaukapakapa from Rural Production to Countryside Living.

The proposed rezoning will provide for at least 11 additional rural residential lots immediately adjoining an existing rural residential enclave at the northern end of Kaukapakapa, with access off an existing, high quality intersection.

The proposed rezoning will provide additional housing capacity and choice, with better management of what is currently an uneconomic block of rough pasture.

The CSL Zone provisions and the Auckland-wide provisions of the Auckland Unitary Plan will ensure that future development of the subject land will achieve the higher level objectives and policies of the Regional Policy Statement. Specialist reports in respect of landscape, transport, engineering, geotech, pastoral farm management and cultural matters confirm that the rezoning will not result in any significant environmental effects.

A section 32 assessment has been undertaken and concludes that the proposed rezoning will more efficiently and effectively achieve the objectives of the Auckland Unitary Plan and the purpose of the RMA, than the current zoning.

It is therefore concluded that the proposed rezoning sought in this private plan change request will result in significant benefits, without generating significant adverse effects on the environment. The proposal will more efficiently and effectively achieve the policy direction of the Auckland Unitary Plan, and overall is consistent with Schedule 1 and Part 2 of the Resource Management Act.

**MacDonell Consulting Ltd
Planning Consultants**