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Sandra Kelly

From: Simon UPTON <uptonsd@gmail.com>
Sent: Friday, 14 September 2018 10:20 p.m.
To: DistrictPlan
Cc: B Miller
Subject: Submission on Proposed District Plan
Attachments: Submission on WDC District Plan FINAL .pdf; Attachment A.pdf; Attachment B Detail of Map 20.7.pdf; Attachment C Mansergh Graham 2014.pdf; Attachment D - Alternative topography-based zoning.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Submission Received and Acknowledged, Replied, SUBMISSION

Please find attached my submission on the Proposed District Plan together with four attachments.

I would appreciate confirmation that this submission has been received and is in order.

Regards

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Submission 1 - Summary

I oppose the extent of the proposed extension of residential zoning on the south side of Ngaruawahia as detailed in Map 20.7. It is based on – but departs from – a non-statutory document (the March 2017 Structure Plan) which does not form part of the Proposed District Plan (PDP) and has thus not been subject to section 32 analysis.

The basis for my opposition is described in detail below (see *Detailed Discussion*) under the following headings (all references are to the detail of Map 20.7 attached as Attachment B):

- Map 20.7 departs from the residential extension limits proposed in the March 2017 Structure Plan
- Map 20.7 provides no evidence that there has been proper consideration of landscape and open space issues
- Map 20.7 fails to indicate a clear town boundary and transition to the rural zone
- There is no evidence that Map 20.7 is the result of any consideration of alternative zoning scenarios solutions

Any extension of residential zoning in this area should fully preserve from development key topographical and landscape features and clearly indicate how key amenities including reserves, green links and open space are to be provided for. Map 20.7 should be withdrawn and reconsidered in the light of pre-existing technical reports on landscape, visual and amenity effects, relevant sections of the Waikato Regional Policy Statement and key sections of the PDP itself (see *Detailed Discussion* below). The March 2017 Structure Plan should be appraised for consistency with these documents and if necessary amended.

A proper spatial plan for development in Ngaruawahia should be developed and made available for public input. It should be supported by clear evidence that the plan is consistent with the above mentioned documents. Specifically it should:

- Preserve the integrity of the gully system and stream margins on the south side of the existing town;
- Preserve key ridgelines that link Havelock Hill to the elevated country to the south of the stream of which it is visually a part;
- Make provision for public open space and reserves;
- Provide a clear urban boundary and transition to the rural zone

Any residential extension should be subject to addressing these values and should give effect to the outcomes set out in a fresh spatial plan for the town.

The PDP does not include a Structure Plan that supports the residential zoning change and the 2017 Structure Plan provides no indication that any of the above points about landscape and open space have been taken into account.

I submit that a fresh Structure Plan should be prepared that reflects pre-existing technical reports on landscape, visual and amenity effects, relevant sections of the Waikato Regional Policy Statement and key sections of the PDP itself and be included in the PDP together with an appropriately amended version of Map 20.7. Any revised

Structure Plan should provide evidence that alternative zone boundaries have been fully considered, as is required by s 32 RMA

Detailed Discussion

No regard for the residential extension limits proposed in the March 2017 Structure Plan

The March 2017 Structure Plan proposed a southern boundary for residential extension in Ngaruawahia that comprised a large area of flat land between Rangimarie Road and the Ngaruawahia-Te Kowhai Road, and a mix of rolling country and flat land north of a proposed east-west road linking Saalbrey Road with Rangimarie Road (see [Attachment A](#)). The boundaries were different from those in PC 17 (made operative in February 2017) and are inconsistent with those new residential limits.

The PDP (see [Attachment B](#)) has deviated radically from the Structure Plan in two ways: (1) it extends the residential zone to only a small sliver of land to the west of the gully intersecting Rangimarie Road and (2) adds land on the south side of the proposed road linking Saalbrey Road with Rangimarie Road.

Formal consultations on the Structure Plan have never been invited although there have been some workshops and open days. The divergences from the Structure Plan now reflected into the PDP have *never* been the subject of any consultation.

The extension to the east of Rangimarie Road is particularly problematic. It cuts across the gully system and proposes a road through the middle of the wetland. It also encompasses hills that are of high local landscape value and are clearly marked as being less suitable for development in the 2014 *Ngaruawahia Study Area | Assessment of Landscape, Visual and Amenity Effects* prepared for the Waikato District Council by Mansergh Graham Landscape Architects (see below).

The proposed southward extension to the west of the unformed portion of Rangimarie Road appears to follow the northern side of the very deeply incised drain that runs east to west towards the Waipa River. This departure from the Structure Plan is more sensible since, as the Mansergh Graham study notes, gully systems are a key natural feature. They also provide an opportunity for future 'green linkages' as envisaged by the proposed plan in 4.7.3 (vi). But there is no rationale provided for not continuing the zone all the way to the Ngaruawahia-Te Kowhai Road. The deep gully system is a natural southern border for the town.

No proper consideration of landscape and open space issues

The blanket extension of residential zoning between Rangimarie and Saalbrey roads cuts through gently rolling hills and a stream at a critical point in the local landscape. The elevated ground is particularly significant being part of a larger area of rolling country that continues all the way to Crawford Road in Te Kowhai and is part of a distinctive significant local landscape that is the backdrop to Ngaruawahia, Horotiu and parts of Te Kowhai.

The hills in question are clearly marked as ranging from moderately to least suited for development on the visibility, landscape character and amenity constraint maps in the Mansergh Graham report. (See **Attachment C**). The District Council has commissioned detailed material on these landscape values but then failed to reflect them in any way in proposing an extension of the southern boundary of Ngaruawahia's residential zone.

The Waikato Regional Policy Statement requires development to be located within appropriate topography (6A: (F)) and protect sensitive areas such as gully systems (6A H) and requires the provision of information on "how existing values, and valued features of the area (including amenity, landscape, natural character ...) will be managed" (6.1.8).

The following sections of the PDP do not find any reflection in this blanket residential zoning:

- Under its section on **Strategic directions and objectives for the district** (1.12), the plan envisages a district that "retains its significant landscape features" and "has public open space available and well used by the community". The gully system is ignored in the Structure Plan and there is no provision for public open space (1.12.2). Instead, a road through the gully and associated wet ground is proposed. **I support section 1.12.2 of the PDP and consider it should be applied to a reappraisal of Map 20.7 and the 2017 Structure Plan.**
- Under section 1.12.6 of the PDP, a strategic objective is specifically announced to "protect and enhance open green space, outstanding landscapes and areas of cultural, ecological, historic and environmental significance". While the identification of 'outstanding landscapes' is confined to the Hakarimata Range, the balance of this objective applies to the proposed residential zone. Specifically, no allowance has been made for the gully system that separates Havelock Hill from the elevated land to the south. No consideration has been given to the possibility that the cultural and historic site that the pa represents would become physically and visually isolated from the hill system of which it is the northernmost outcrop. **I support section 1.12.6 and consider it should be applied to a reappraisal of Map 20.7 and the 2017 Structure Plan.**
- Under the Urban Environment chapter, there is reference to neighbourhood centres, roads, parks, pedestrian and cycle networks being developed in accordance with the Structure Plan (4.1.15). But the Structure Plan makes no provision for *any* proposed or enhanced green spaces.
- Under 4.7.2, the Proposed Plan promotes as a policy, subdivision location and design that is "sympathetic to the natural and physical qualities and characteristics of the surrounding environment". Residential subdivision (4.7.3) is, supposed to promote, *inter alia* –
 - (ii) accessibility and connectivity of public spaces
 - (vi) connectivity and permeability by ensuring new connections to existing and future development, including green linkages
 - (vii) street layout to reflect the underlying topography

- Public open space distributed, located and sized to reflect its context

I support sections 4.7.2 and 4.7.3 and consider they should be applied to a reappraisal of Map 20.7 and the 2017 Structure Plan.

- With respect to open space, the Proposed Plan encourages “open spaces which are prominent and accessible by pedestrians” (4.7.10) and provides that “subdivision involving the vesting of land in Council as a reserve aligns with the principles of the Council’s Parks Strategy or a structure plan...” (*my emphasis*) should be of an appropriate size, scale and location for its use and be appropriate for the strategic needs of the local community and the region”. No open spaces have been provided for.

I support section 4.7.10 and consider they should be applied to a reappraisal of Map 20.7 and the 2017 Structure Plan.

No clear town boundary and transition to the rural zone

- Extending the residential zone to Saalbrey Road places at risk the continued separation of the towns of Ngaruawahia and Horotiu. If this extension takes place there will be literally one farm separating the two built-up spaces.
- The 2014 Mansergh Graham report which supported PC 17 noted “a distinctive natural threshold exists to the southeast of Ngaruawahia Township, where the pa site, adjacent to the Ngaruawahia cemetery along Great South Road signifies the transition from urban fringe to rural landscape character.” The pa site and cemetery are already severely impacted by the railway. Isolating them further by surrounding them with houses would involve a further significant destruction of amenity.
- The 2017 Structure Plan talked about “providing for a clear edge to the town with a rural buffer /green belt around the town.” Evidence given in support of the smaller residential zone extension adopted in Plan Change 17 noted that Ngaruawahia Golf Course, the Waikato River, Great South Road and the North Island Main Trunk Line were features that provided natural barriers to further development and help to create identifiable boundaries.
- The Council appears to have accepted the evidence supporting a clear edge to the town advanced in support of PC 17 but is now seeking to ignore it with the Proposed Plan’s extension to the south of the Main Trunk Line. The residential zone proposed south of the railway line is little more than a ribbon of development permanently cut off by key transport arteries.

I submit that Map 20.7 should provide for “a clear edge to the town with a rural buffer /green belt around the town” (as called for in the 2017 Structure Plan) by having regard to those features that provide natural barriers to further development and help create identifiable boundaries.

No consideration of alternative zoning solutions

- Any decision to alter town boundaries by rezoning rural land as residential will have irreversible effects. This is not a minor environmental impact – for all practical purposes it permanently obliterates some environmental, amenity and landscape values and replaces them with residential and commercial values. Major and irreversible changes of this nature should only be made after a careful consideration of alternatives and be able to demonstrate that they have made an optimal trade-off. There is no evidence that the zoning changes proposed in Map 20.7 emerge from a process that has carefully examined alternatives. But this is what s 32 of the RMA envisages.
- An examination of alternatives would enable residents to evaluate the range of trade-offs that can be made. **Attachment D** proposes an alternative layout that would, in my view, better protect landscape, heritage and environmental values, the transition to the rural zone, green linkages and open space. This is purely illustrative of an alternative that tries to be more sensitive to some of the values outlined above. There may be other solutions. I offer this in the hope that a constructive reconsideration of Map 20.7 could yield a better solution for Ngaruawahia and its environs going forward.

Submission 2

I support the provision for ‘rural hamlet subdivision’ under rule 22.4.1.5.

However I consider that the size of lots specified is too large. A maximum area of 1.6ha is far too large and so is the minimum of 8000 sq m. Given that the policy guiding such subdivision in 5.3.8 (d) aims to protect rural land, maintain rural character and amenity and minimise cumulative effects, the aim should be to achieve the smallest possible lot sizes compatible with requirements for sanitation, access and related infrastructure. The aim should be to assist such hamlets to be as visually unobtrusive as possible.

It should also be remembered that with an ageing population, rural people seeking this form of living may well wish to minimise the amount of land they have to care for and seek opportunities to share services and security. This is made harder with the large lot sizes proposed by the plan.

ATTACHMENT A: Figure 21. Development Staging Plan for Ngaruawaahia

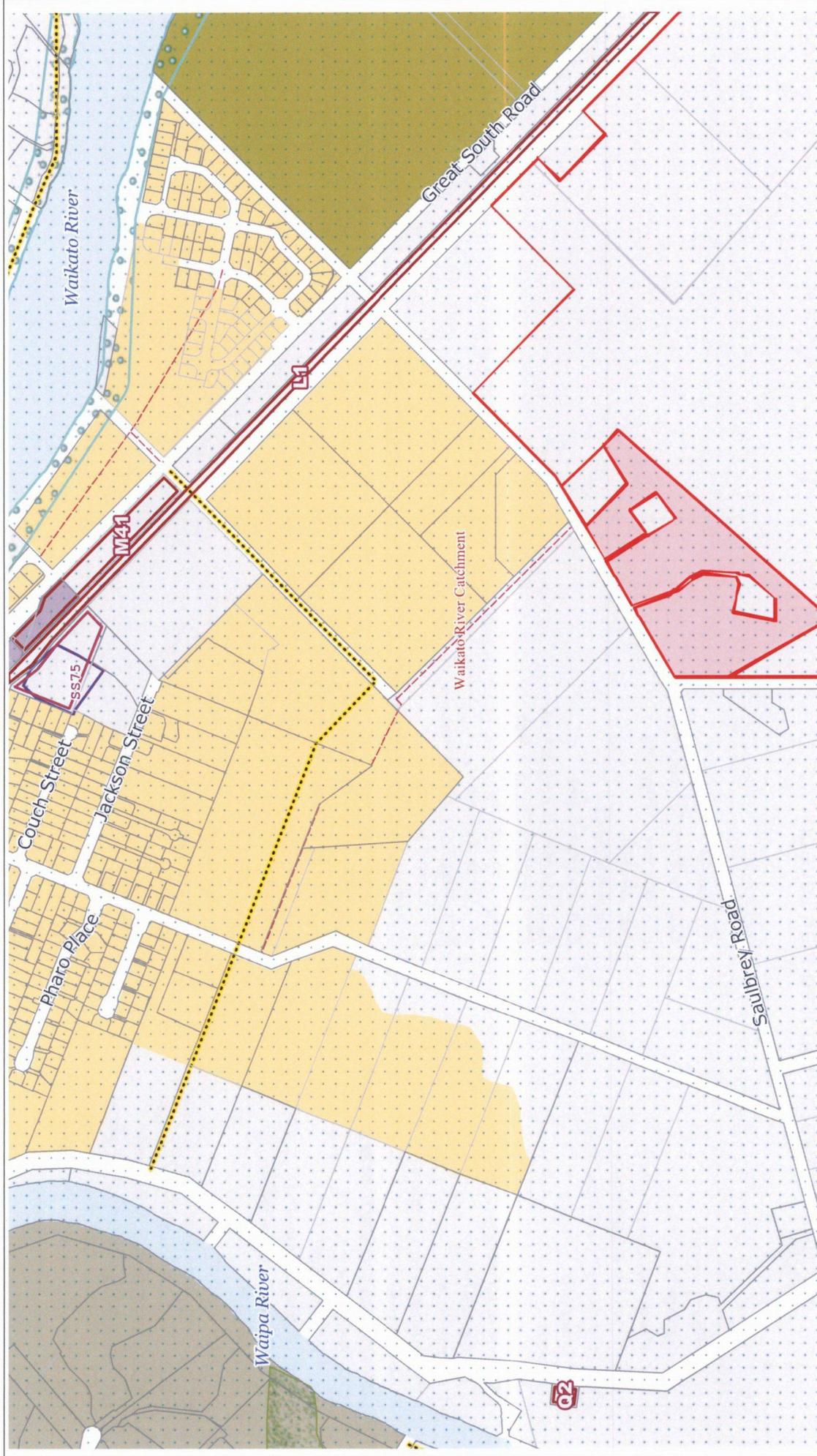


NGARUAWAHIA
Proposed Land Use Zoning

- | | | |
|-------------------------------|------------------|-----------------------------------|
| Living (Existing Residential) | Business | Stage 1 |
| Living (Proposed Residential) | Heavy Industrial | Stage 2 |
| Country Living | Light Industrial | Stage 3 |
| River & Streams | Industrial Park | Indicative Future Road Connection |
| Recreation / reserves | Pa (Waikato) | Alternative roundabout locations |



Waikato Proposed Plan



SCALE 1:8834

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Projection: New Zealand Transverse Mercator
Datum: New Zealand Geodetic Datum 2000

Print Date: 12/09/2018

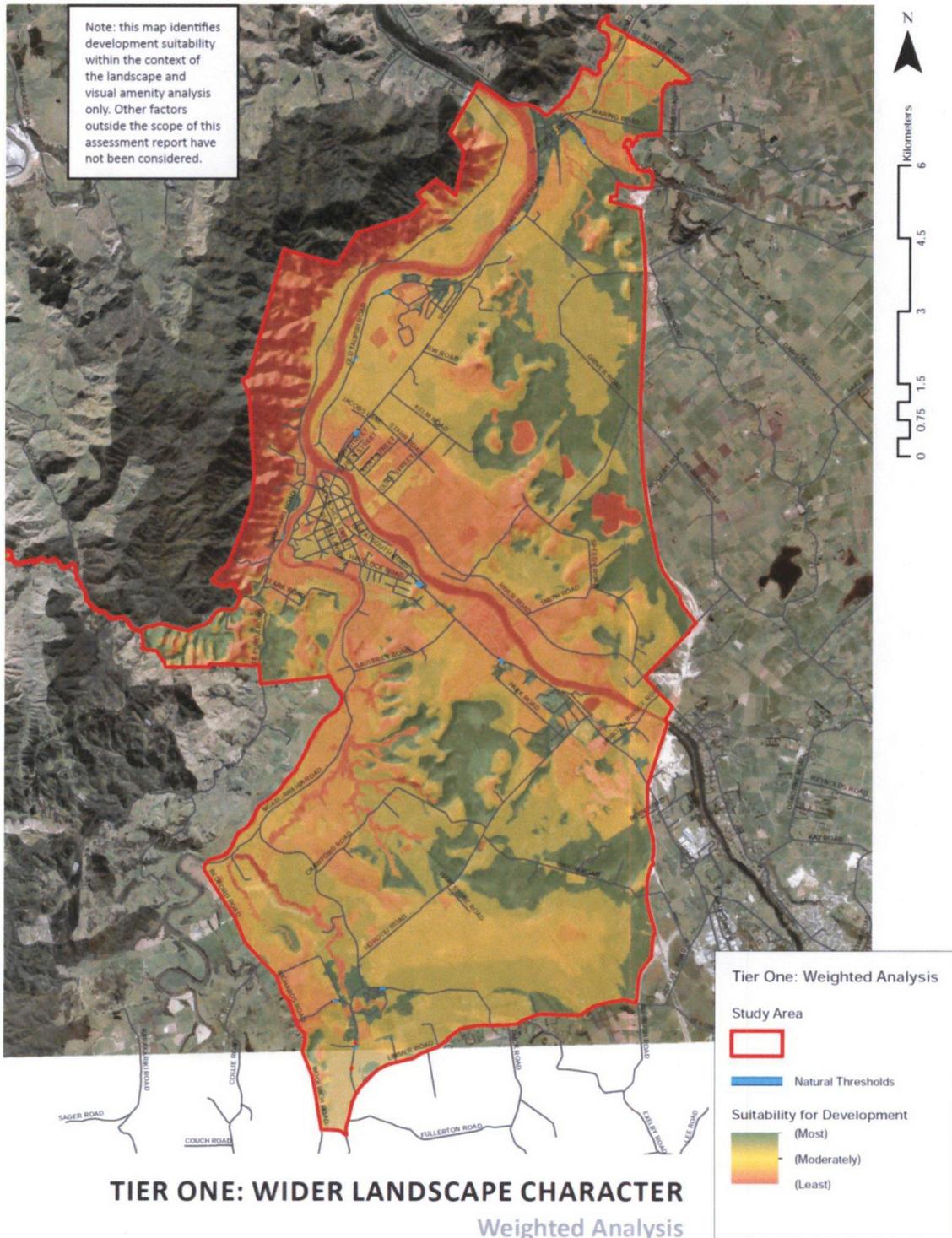
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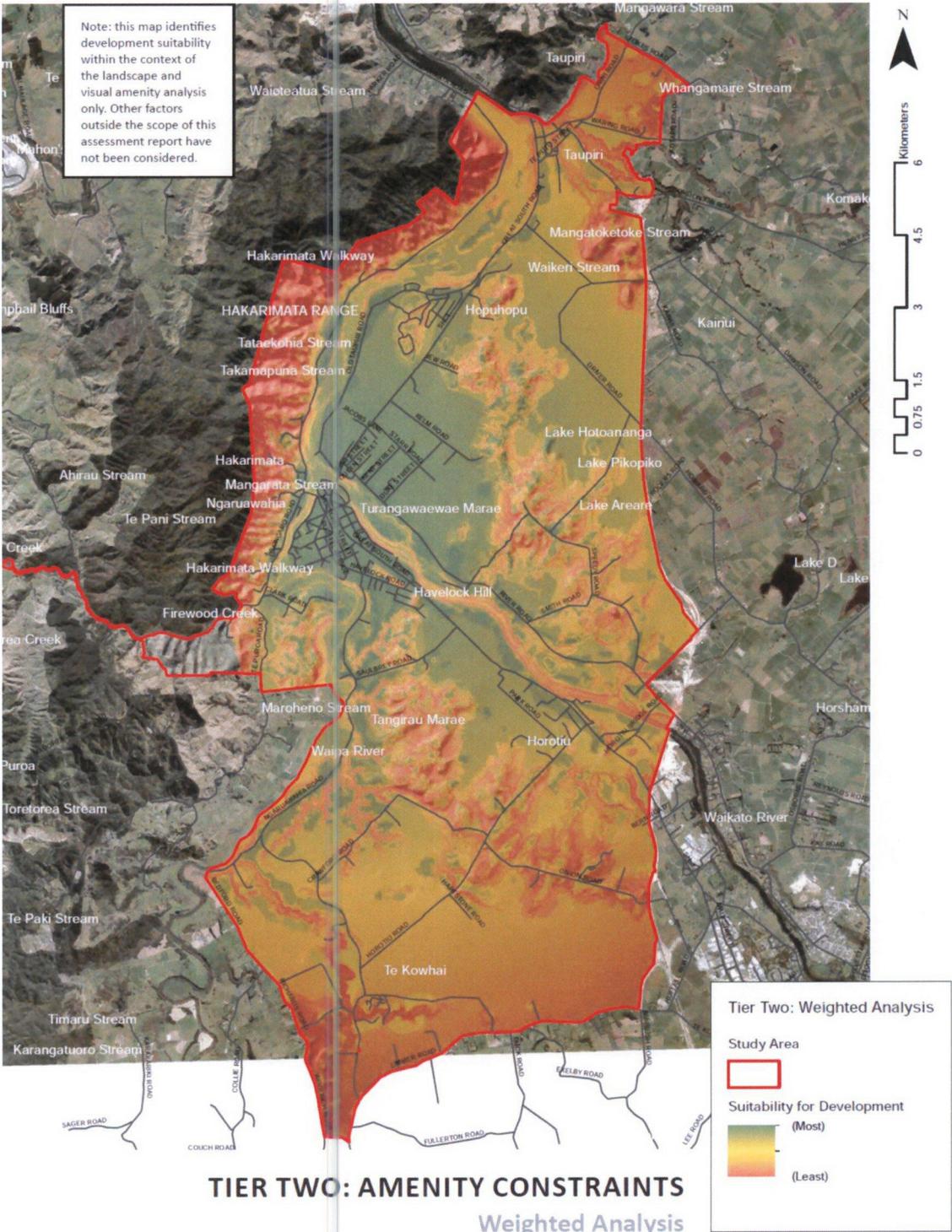


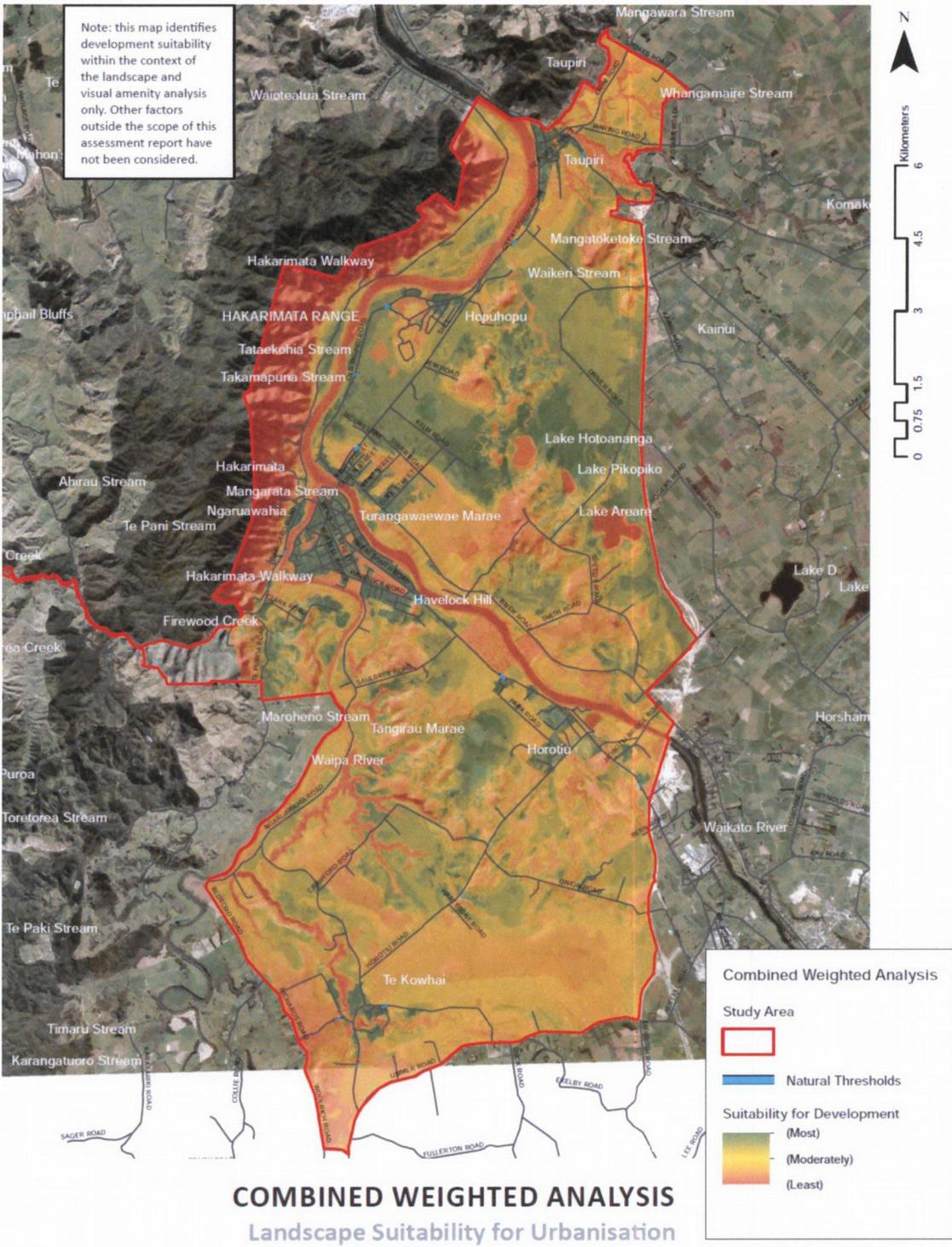
Waikato Proposed Plan Legend

<p>Notified Overlays</p> <p>Legal Effect Overlays</p> <ul style="list-style-type: none"> Heritage Item Māori Area of Significance Māori Site of Significance Significant Natural Area (SNA) Designation Heritage Battlefield View Shaft 	<ul style="list-style-type: none"> Commercial Tamahere Commercial Area Business Overlay Area Verandah Mining & Minerals Coal Mining Area Aggregate Extraction Area Aggregate Resource Area
<ul style="list-style-type: none"> Heritage Precinct Notable Tree Tangata Whenua Waikato River Catchment Infrastructure Walkway Cycleway Bridleway (Under Review) National Grid Indicative Road Segregation Strip Raglan Navigation Beacon Gas Line Built Environment Airport Noise Outer Control Boundary Airport Subdivision Control Boundary Airport Noise SEL95 Boundary Airport Obstacle Limitation Surface Noise Control Boundary (Waikato Gun Club) Airpark Noise Buffer (Te Kowhai) Acoustic Area (Horotiu) Airside Overlay Urban Expansion Area Specific Area/Activity Residential West Te Kauwhata Residential Ecological Te Kauwhata Development Precinct 	<p>Natural Environment</p> <ul style="list-style-type: none"> Urban Allotment Outstanding Natural Features Coastal Environment Outstanding Natural Landscapes Natural Character Environmental Protection Area Significant Amenity Landscapes Hamilton Basin Ecological Management Area Rangitahi <p>Notified Zone</p> <ul style="list-style-type: none"> Residential Rangitahi Peninsula Village Country Living Rural Business Business Town Centre Business Tamahere Industrial Heavy Industrial Reserve Te Kowhai Airpark Motorsport and Recreation Road

ATTACHMENT C: 3 Maps from Mansergh Graham (2014)

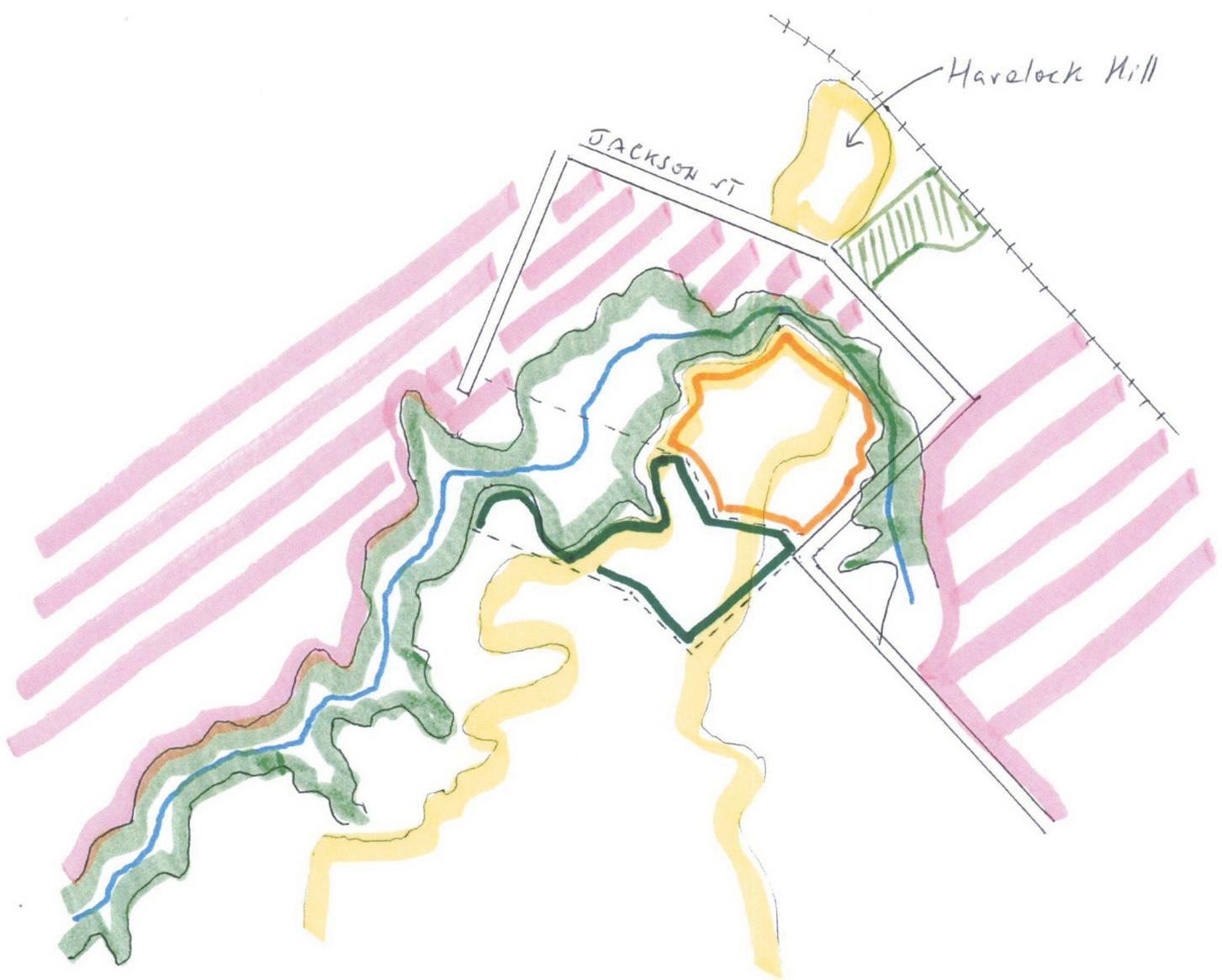






ATTACHMENT D.

ALTERNATIVE ZONING



-  - Wetland-gully system
-  - Elevated land
-  - Residential
-  - Should remain Rural Zone
-  - Less dense residential - Country Living?
- preservation of green link from Harelock Mill to rural zone