

Appendix B - Section 32AA Report

This document sets out an evaluation undertaken in accordance with Section 32AA of the Resource Management Act (RMA) 1991.

The table below details the proposed amendments to the plan change since it was notified and examines the extent to which the changes are the most appropriate way to achieve the purpose of PC1. It should be read in conjunction with the hearing evidence and right of reply prepared on behalf of Te Kapiti Trust, as the requestor.

Provision	Requested Change	Purpose and Evaluation for provisions and amendments to provisions as notified (s32AA)
Introduction	<p>The rules in this chapter guide any future subdivision <u>and development</u> applications and apply in addition to the underlying Village Zone and <u>Rural Zone</u> rules. Where there is a conflict between the two sets of rules, the more restrictive activity status applies. <u>Where the activity has a more restrictive activity status due to a rule elsewhere in the District Plan, the activity will still be assessed under this Chapter.</u></p>	<p>Purpose</p> <p>The purpose of these amendments to the introduction are to make it clear where the Rongotea South Development Area provisions apply and when they come into effect. The provisions will be triggered when subdivision <i>or development</i> occurs on either lot (Section 36 Block II Douglas District (21.88 ha) and Lot 15 DP 565962 (10.48 ha)). An additional sentence clarifies that a higher activity status for an activity elsewhere in the plan does not mean it would not need to be assessed under this chapter, thus bringing the requirements of the Structure Plan into play, in conjunction with further amendments to the provisions as below.</p> <p><u>Scope</u></p> <p>Scope for this amendment is within S07 Rongotea Lions Club and S014 Horizons Regional Council submissions that seek to ensure positive outcomes for the wetland that exists in Lot 15 DP565962 on land zoned Rural.</p>

		<p>Evaluation of Amendments</p> <p><u>Costs and Benefits</u></p> <p>As currently drafted there is potential for confusion for consent planners and future owners of Lot 15 DP 565962 as to whether or not provisions on the Rongotea South Development Area apply within this site. This creates the risk that development may occur on Lot 15 DP 565962 that impedes the delivery of the open space reserve and pathways that encompass the wetland, as identified in the Structure Plan.</p> <p>The proposed amendments assist in ensuring the objectives of the RSDA are realised when any subdivision and development occurs on either land title and makes it clear that the RSDA provisions apply in addition to any other underlying provision, thus ensuring overall District Plan requirements are met. The changes provide greater clarity in achieving the plan change objectives.</p> <p><u>Efficiency and Effectiveness</u></p> <p>The amendment will ensure any activity across RSDA gives effect to DEV-O1 and DEV-P1 (which refer to providing development in accordance with the Structure Plan), and particularly DEV-P4, which specifically refers to ensure subdivision and development within the Structure Plan area achieves certain outcomes. These amendments are therefore considered efficient and effective in delivering plan objectives.</p> <p><u>Risks</u></p> <p>There is no known risk due to insufficient information.</p>
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	<p>DEV1 – O2</p> <p>Subdivision in the Rongotea South Development Area creates a sustainable neighbourhood where:</p> <ul style="list-style-type: none"> a. the development successfully integrates with the village character <u>and existing environment</u> of Rongotea; b. natural site features are protected and incorporated into the development design; c. the recreational <u>and multi-modal</u> opportunities of the community are enhanced through the provision of public open space and pedestrian and cycle linkages; and d. cultural values are recognised and provided for 	<p>Purpose</p> <p>These amendments to Objective DEV1-02 have been made in response to submissions. The first amendment ensures an appropriate transition is provided from the new extension of the Village Zone to existing development within the Rural Zone 2 Nodal overlay. The second amendment to c. asserts that public open space, cycling and pedestrian linkages are not solely recreational but have wider benefits beyond recreation.</p> <p><u>Scope</u></p> <p>The amendment to a. is in response to submissions S01, S02 and S05. The amendment to c. is in response to S012 from Waka Kotahi.</p> <p><u>Costs and Benefits</u></p> <p>The consideration of integration of the PC1 area with the existing environment provides improved outcomes in managing the effects of subdivision. This objective is giving effect to within Standard DEV1-S6. While this may result in additional cost to the developer, the requirement to consider boundary treatments between the new Village Zone and properties on Florin Lane to give effect to this objective are considered necessary to ensure amenity values are maintained and there is an appropriate transition between the zones.</p> <p>Opportunities for multiple modes of transport to be realised are in keeping with new sections of the Climate Change Response Act 2002.</p> <p><u>Efficiency and Effectiveness</u></p>

		<p>These amendments to objective DEV1-O2 require greater emphasis on appropriately managing the effects of subdivision and in meeting emission reduction goals.</p> <p><u>Risks</u></p> <p>There is no known risk due to insufficient information</p>
<p>Rules</p>	<p>The following activity is <u>activities are</u> restricted discretionary <u>activities</u> activity in respect to subdivision</p> <p>DEV- R1 Any subdivision of land within the Rongotea South Development Area as shown in Appendix 17A and zoned Village Zone that meets the performance standards DEV1 S1 – S8 S9.</p> <p><u>DEV-R2 Any activity within the Rongotea South Development Area as shown in Appendix 17A which is zoned Rural 2 that meets performance standards DEV S2 and S6.</u></p> <p>For this activity, Council has reserved its discretion to the following matters:</p> <p>MD01 The size, shape and arrangement of lots</p> <p>MD02 The maintenance and enhancement of local amenity values</p> <p>MD03 The provision of water supply and the disposal of wastewater and stormwater</p> <p>MD04 The number, location and formation of vehicle crossings</p>	<p>Purpose</p> <p>The purpose of the amendment to DEV-R1 is to remove reference to the Village Zone so that it would be applicable to subdivision across both zones within the RSDA. Note that the density standard DEV1-S1 would not apply to subdivision within the 10 ha lot as it is not included in Areas A, B or C, however all other standards would apply around road access, providing a Comprehensive Development Plan, Stormwater Management Plan etc.</p> <p>A new rule DEV-R2 is proposed to pick up any activity that may occur on the Rural Zone portion of the RSDA that is not preceded by subdivision. Applicable standards are DEV1-S2 for access and road design and DEV1-S6 for a Comprehensive Development Plan.</p> <p>I consider there is less and an overall negligible risk of permitted or controlled activities occurring on the area zoned Village Zone that would compromise the ability to achieve the outcomes sought by PC1. Additional amendments are grammatical to ensure the new rule is accommodated.</p> <p><u>Scope</u></p>

<p>MD05 Safe and efficient operation of the roading network, including walking and cycling.</p> <p>MD06 Suitability of proposed lots for subsequent buildings and future use.</p> <p>MD07 Avoidance or mitigation of flood hazard and stormwater inundation</p> <p>MD08 The location of the stormwater attenuation pond with respect to the location of the natural wetland.</p> <p>MD07-MD09 Provision of public open space</p> <p>MD08-MD10 Availability of Council Infrastructure</p> <p>MD09-MD11 Consistency with Council Engineering Standards and the Rongotea South Structure Plan</p> <p><u>MD012 General accordance with</u> the Rongotea South Structure Plan</p>	<p>Scope for this amendment is within S07 Rongotea Lions Club and S014 Horizons Regional Council submissions that seek to ensure positive outcomes for the wetland that exists in Lot 15 DP565962 on land zoned Rural.</p> <p>In addition, the Matter of Discretion MD11 has been split to allow for a separate matter to be ‘In general accordance with the Rongotea South Structure Plan’ to ensure consistent and appropriate wording applies with respect to the Structure Plan.</p> <p><u>Scope</u></p> <p>This amendment to split MD11 is considered minor under Schedule 1 cl 16 (2) and considered appropriate for the purpose of a Structure Plan.</p> <p>Evaluation of Amendments</p> <p><u>Costs and Benefits</u></p> <p>There is the risk that development may occur on Lot 15 DP 565962 zoned Rural that impedes the delivery of the open space reserve and pathways that encompass the wetland. DEV-R2 will pick up any activity that may occur within the Rongotea South Development Area on land Zoned Rural 2.</p> <p>Any activity on Lot 15 DP 565962 would be an RD activity subject to standards and a key matter of discretion is to be ‘in general accordance with the Structure Plan’. This rule would apply in addition to the underlying discretionary rule for subdivision on this site. Any application that did not show and provide for the open space and wetland area as anticipated would be inconsistent with the Structure Plan and the</p>
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<p>Standard DEV1-S6</p>	<p>Any development and subdivision must have a Comprehensive Development Plan that demonstrates includes how the proposal:</p> <ul style="list-style-type: none"> i. provides an connected internal roading network that gives effect to the Rongotea South Structure plan and that facilitates movement demands within the area while also providing a block structure that supports the existing character of Rongotea; ii. shows the location, width and design of publicly accessible roads, laneways and accessways having regard to vehicles, public transport, pedestrians and cyclists that are intended to use them; 	<p>Purpose</p> <p>These amendments provide clarity as to what needs to be included in a Comprehensive Development Plan (CDP). They replace the word ‘demonstrate’ with the word ‘includes’ and other changes to remove the requirement for a value judgement for a consent planner as to how well the CDP delivers on the requirements listed. Other amendments are purely grammatical.</p> <p>New Standard DEV1-S6 (viii) is a requirement for the developer to include methods to soften the boundary between the lifestyle sites and</p>

<p>iii. <u>outlines an outline of</u> the servicing required for the development, including the location of the stormwater treatment and attenuation pond, any necessary easements and ensures suitable sizing of infrastructure;</p> <p>iv. <u>includes</u>—a spatial layout plan showing how the development achieves connectivity and integration to the wider area including public access along the Ruilvaldts and Campbell drains and their margins, and the constructed wetland area;</p> <p>v. identifies the location of overland flow paths and how these will be managed or enhanced;</p> <p>vi. if staging is required, how the stages will not compromise the overall development of the Rongotea South Development Area Structure Plan; and</p> <p>vii. provides clear reference to:</p> <ul style="list-style-type: none"> a. the objectives and policies of the Rongotea South Development Area; b. current and anticipated future built form and uses; c. anticipated future capacity of the activity area; and d. relationships and connections within Rongotea South Development Area. <p><u>viii. has given consideration to suitable boundary treatments, including but not limited to planting and fencing, to assist in softening the transition from the residential lots within the</u></p>	<p>the Village zone within their CDP. This is an amendment proposed in the s42A report in response to submissions S01, S02 and S05.</p> <p><u>Scope</u></p> <p>The scope to general amendments are considered minor under clause 16(2) as the only intention is that they provide greater clarity to a consent planner when assessing applications. They don't change the overall intent of the standard but provide an improvement in line with how rule standards are intended to work. Scope for new clause viii is included in submissions S01, S02 and S05.</p> <p>Evaluation of Amendments</p> <p><u>Costs and Benefits</u></p> <p>The addition of viii. regarding boundary treatments provides improved outcomes in managing the effects of subdivision. While this will result in additional cost to the developer, the requirement to consider boundary treatments between the new Village Zone and properties on Florin Lane are considered necessary to ensure amenity values are maintained and there is an appropriate transition between the zones.</p> <p><u>Efficiency and Effectiveness</u></p> <p>These amendments relate directly to the matter of discretion MD02 - the maintenance and enhancement of local amenity values and deliver on DEV1-O2 that requires subdivision to successfully integrate with the village character and existing environment of Rongotea.</p> <p><u>Risks</u></p>
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	<p><u>Rongotea South Development Area and the adjoining lots along Florin Lane</u></p>	<p>There is no known risk due to insufficient information</p>
<p>Standard DEV1-S7</p>	<p>Any application for subdivision consent must include a stormwater management plan that includes:</p> <ul style="list-style-type: none"> a. a description of the catchment to be managed; b. details of the site-specific hydrologic modelling <u>for the Rongotea South Development Area</u> c. assessment based on the proposed subdivision plan which includes details of how the stormwater will be collected, treated, attenuated and managed within the Rongotea South Development Area, <u>including how each proposed allotment will connect to Rongotea South Development Area stormwater network;</u> d. treatment of all stormwater runoff prior to discharge to the primary network; e. how the proposed stormwater management approach recognises the Ruivaldts and Campbell waterways and their margins and the natural wetland as a sensitive receiving environment where natural, public access and mana whenua values must be recognised and provided for; f. outline how the proposed stormwater management system is consistent with Council’s Engineering 	<p>Purpose</p> <p>These amendments have been made to clarify the intent of the stormwater management approach within PC1. The intention is to require a site wide solution for treatment and attenuation.</p> <p><u>Scope</u></p> <p>The amendments are considered minor under clause 16(2) as the only intention is to clarify the intent developed through the technical reports and as expressed in policy DEV1-P2</p> <p>Evaluation of Amendments</p> <p><u>Costs and benefits</u></p> <p>Under the current wording, there is a risk that stormwater within the RSDA will not be a site wide integrated approach in accordance with DEV1-P2. Greater clarity is achieved by these wording amendments to demonstrate that stormwater solutions need to be inclusive and cater for all development discharges within a single network.</p> <p><u>Efficiency and Effectiveness</u></p> <p>These amendments ensure stormwater is managed effectively and efficiency to deliver on sustainable management outcomes for water quality. Efficiencies can be made with a more holistic approach to stormwater across the site, rather than individual solutions that may not be as effective.</p>

	Standards and NZS 4404:2010 Land Development and Subdivision Infrastructure; g. a condition assessment of the <u>Rongotea South Development Area</u> stormwater network; and h. a maintenance and monitoring plan.	<u>Risks</u> There is no known risk due to insufficient information
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Conclusion

The proposed rezoning sought in the notified PC1 application, and the proposed amendments sought to the RSDA as detailed above, are the most appropriate to achieve the purpose of the RMA.

It is recommended that PC1 be accepted with the amendments sought above. The proposed changes have been, where appropriate, assessed with respect to alternative options (status quo) and their potential costs, benefits, efficiency and effectiveness, and risks, in accordance with s32AA of the RMA.

Overall, it is concluded that the proposed rezoning of the site as set out in PC1 is the most appropriate way to achieve the purpose of the RMA, and that the revised RSDA provisions as set out are the most appropriate way to achieve the proposed objectives, and other applicable objectives of higher order documents.



Kim Anstey
7 June 2023.