



Kawerau District Council

Section 32 Report

Plan Change 4 - Residential Development
of Roy Stoneham Park

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1. Residential Development of Roy Stoneham Park

Kawerau is facing housing pressures and affordability constraints which is leading to social and economic consequences in the district. There are several reasons for this issue including aged housing stock, lack of new supply, and changing community housing needs. Other factors include job creation and economic development within the district and a general change in the housing market meaning that Kawerau now has organic and regional growth surplus and a population growth trajectory.

The town's population is estimated to have grown by 7% since the last census in 2018. The population growth that Kawerau is currently experiencing is outstripping the number of building consents that are being issued which is leading to an imbalance of housing supply and demand. This lack of available new housing could be one of the factors underpinning the lower population growth rate compared with towns of a similar size.

At the 2018 census, the population of Kawerau was 7,146 with 2,742 dwellings. In 2021 Statistics New Zealand estimated Kawerau's population to be at 7,670. From 2018 to 2021, 44 new dwelling consents have been issued, according to Statistics NZ data.

Only 153 new dwelling consents have been issued from 1990 to 2001. Of these consents, 27% were issued after the census in 2018. These consents show that for the market is more accepting of small housing types and sections such as town houses, flats and units.

1.1 Processes to develop Roy Stoneham Park

Kawerau District Council has committed to developing Roy Stoneham Park for residential purposes. Roy Stoneham Park is currently an underutilised reserve. The flat and reportedly free draining nature of the land, as well as its proximity to schools and amenities, makes an ideal location for urban growth. Figure 1 below shows the location of Roy Stoneham Park.



Figure 1 – Roy Stoneham Park

To offset the development of Roy Stoneham Park, Council will improve the Stock Pound site for recreational use. The Stock Pound is adjacent to another large reserve, and it makes sense to roll the parks together. The Stock Pound site is shown in Figure 2 below.



Figure 2 – Stock Pound site

To realise the residential development, Council needs to carry out two statutory processes:

- Revoke the reserve status of Roy Stoneham Park in accordance with the Reserves Act.
- Rezone Roy Stoneham Park from Reserve to Residential through a change to the Kawerau District Plan (a 'Plan Change') in accordance with Schedule 1 of the Resource Management Act.

Roy Stoneham Park currently has the status of a recreation reserve under the Reserves Act 1977. To consider any development opportunities, the reserve status of the land needs to be removed through a statutory process. The reserve revocation process is being progressed in tandem with Plan Change 4.

Once the final decision on the reserve revocation is made by the Minister of Conservation and Council makes Plan Change 4 operative the site can be developed:

- Council will apply for resource consents to develop the site (subdivision, earthworks, etc).
- When the resource consents have been granted, construction and development works can begin (e.g. earthworks, installing infrastructure).
- After construction has been completed, sections will be available for sale and houses can be built.



Figure 3 – processes to develop Roy Stoneham Park for residential use

1.2 Proposed Plan Change 4 to the Kawerau District Plan

Proposed Plan Change 4 – Residential Development of Roy Stoneham Park is to:

- Rezone Roy Stoneham Park from Reserve to Residential
 - Amend Plan Maps 5 and 6 to rezone the area and apply a new Residential Growth Precinct.
- Amend specific provisions in the Residential and Sub-division sections of the District Plan to provide for the new Residential Growth Precinct.

All other provisions in the Kawerau District Plan remain unchanged.

Plan Change 4 will follow the statutory process in Schedule 1 of the RMA, as shown by Figure 4 below.

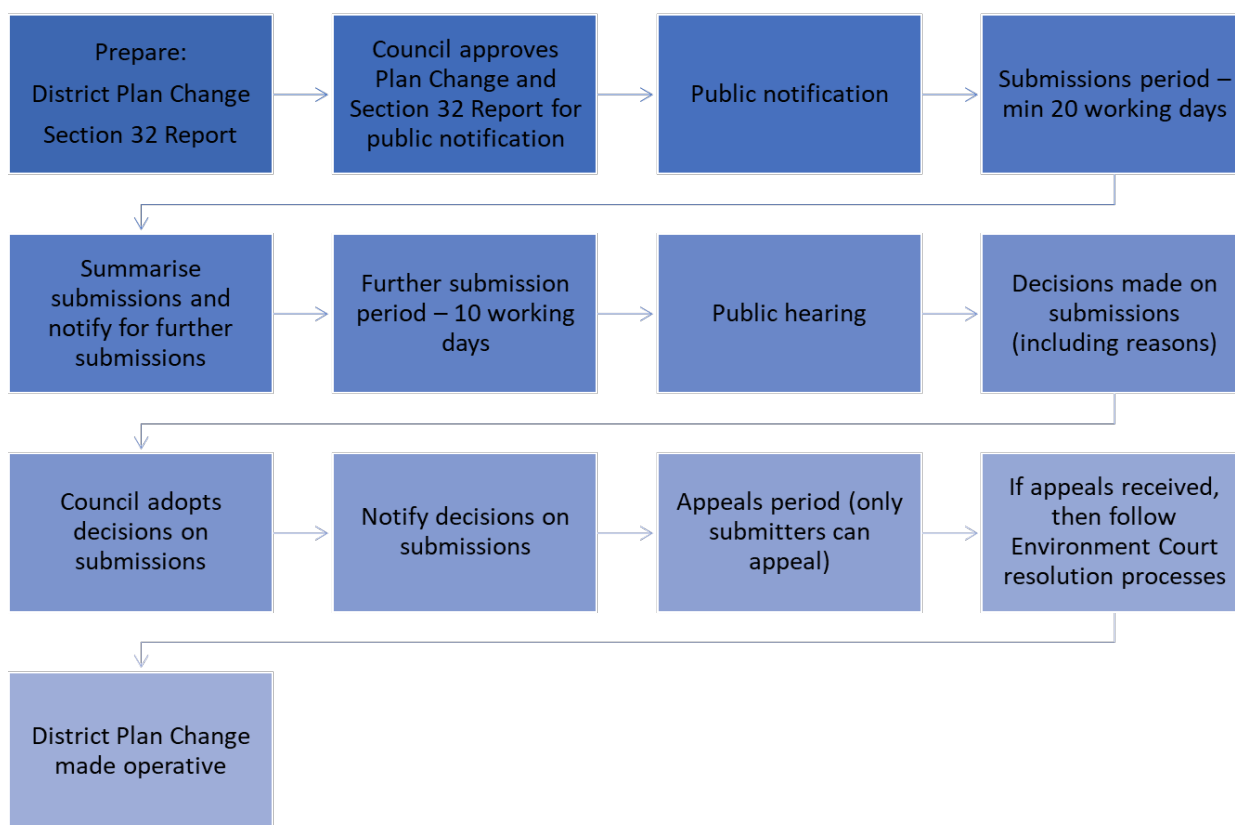


Figure 4 – Plan change process under Schedule 1 RMA

2. Purpose of Section 32 Report

This report addresses the requirements of section 32 of the Resource Management Act 1991 (RMA) in relation to Plan Change 4.

2.1 Requirements of Section 32 of the Resource Management Act 1991

Under Section 32 of the Resource Management Act 1991 (RMA), a Proposed Plan Change must be accompanied by an evaluation report at the time of public notification.

The specific requirements of Section 32 are listed below with reference to where in the report the information is contained:

Section 32 RMA requirement	Location in this report
(1) An evaluation report required under this Act must—	<i>Introductory sentence of provision</i>
(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and	Section 5.1 Evaluation

Section 32 RMA requirement	Location in this report
(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—	<i>Introductory sentence of provision</i>
(i) identifying other reasonably practicable options for achieving the objectives; and	Section 5.2 Evaluation
(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and	Section 5.3 Evaluation
(iii) summarising the reasons for deciding on the provisions; and	Section 5.3 Evaluation
(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.	Section 5.4 Evaluation
(2) An assessment under subsection (1)(b)(ii) must—	<i>Introductory sentence of provision</i>
(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for— (i) economic growth that are anticipated to be provided or reduced; and (ii) employment that are anticipated to be provided or reduced; and	Section 5.4 Evaluation
(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and	Section 5.4 Evaluation
(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	Section 5.4 Evaluation
(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to— (a) the provisions and objectives of the amending proposal; and (b) the objectives of the existing proposal to the extent that those objectives— (i) are relevant to the objectives of the amending proposal; and (ii) would remain if the amending proposal were to take effect.	Section 5.2 Evaluation (Status Quo – no change to Kawerau District Plan)

Section 32 RMA requirement	Location in this report
<p>(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.</p>	<p><i>Not applicable to Plan Change 4 as no national environment standard applies to the topic.</i></p>
<p>(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—</p> <p>(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and</p> <p>(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.</p>	<p>Section 4 Consultation with Iwi</p>
<p>(5) The person who must have particular regard to the evaluation report must make the report available for public inspection—</p> <p>(a) as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or</p> <p>(b) at the same time as the proposal is notified.</p>	<p><i>Specifies when the Section 32 report must be available</i></p>
<p>(6) In this section,—</p> <p>objectives means,—</p> <p>(a) for a proposal that contains or states objectives, those objectives;</p> <p>(b) for all other proposals, the purpose of the proposal</p> <p>proposal means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act</p> <p>provisions means,—</p> <p>(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;</p> <p>(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.</p>	<p><i>Defines the terms that are applicable to section 32 evaluations</i></p>

3. Policy and Strategic Context

3.1 Kawerau District Council Long Term Plan 2021-2031

Plan Change 4 implements the strategic framework contained in Council's Long-Term Plan 2021-2031 in relation to 'Grow our District'. This is specifically to develop Roy Stoneham Park for residential purposes.

The intention of 'Grow our District' is to provide for residential development of Roy Stoneham Park and contribute to the housing needs of Kawerau District by:

- Making more land available for residential development, and
- Improving the wellbeing of the Kawerau community by facilitating an increase to the stock of housing available in the town.

The reasons for providing more land for residential development in Kawerau are:

- The district's population continues to increase and Statistics New Zealand (medium) projections indicate a population of 8,000 by 2028.
- The drivers for this growth include people returning home to Kawerau during the COVID-19 pandemic; new jobs being created by the region's economic development; and that the Kawerau housing market still offers affordable housing compared to other districts and areas.

Kawerau District Council has committed to ensuring there is enough housing in the community for future needs. Specifically, Council has considered areas for future development and believes Stoneham Park (the old Soccer Club grounds) is the most suitable option to pursue.

The outcomes sought from Plan Change 4 are:

- Provide additional housing for the district.
- Enhance and provide green space for recreational activities.
- Offer a range of housing options, such as inter-generational.
- Offer a variety of section sizes and homes across different price ranges, and
- Enhance the visual appeal and value of neighbouring properties.
- Provide more rateable properties and additional rates for the district.

3.2 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS-UD) applies to 'urban environments' which are defined as:

“urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) is, or is intended to be, predominantly urban in character; and*
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people”*

One of the key policies of NPS-UD is Policy 1, which is around achieving well-functioning urban environments:

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) enable Māori to express their cultural traditions and norms; and**
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) support reductions in greenhouse gas emissions; and*
- (f) are resilient to the likely current and future effects of climate change.*

Subpart 7 of the NPS-UD relates to development outcomes for zones. The requirements of clause 3.35 are:

- Objectives in a district plan for a zone in an urban environment must describe the development outcomes intended for the zone over the life of the plan (and beyond)
- Policies and rules in the district plan are consistent with the development outcomes in the objective(s) for the related zone.

The population of Kawerau District is 7,146 (Census 2018), so is not an ‘urban environment’ in itself and the NPS-UD requirements do not apply directly to Kawerau District Council. However, the outcomes sought by Plan Change 4 and residential development of Roy Stoneham Park are consistent with the intent of the NPS-UD as:

- The development is to provide for a range of housing options and variety of section sizes and homes across different price ranges.
- Housing is to be in a location that is close to jobs (e.g. Kawerau industrial zone), community services (e.g. medical centres, grocery stores, schools) and open spaces (e.g. local reserves).
- The location is within the existing urban area and supports a compact urban form.
- The location is not subject to flooding.
- The new Objective and Policy for the Residential Growth Precinct clearly state the development outcomes for the Stoneham Park area, and the changes to the rules are to provide for those development outcomes.

3.3 Bay of Plenty Regional Policy Statement

Proposed Change 4 is consistent with relevant Objectives and Policies from the Urban and Rural Growth provisions of the Regional Policy Statement (RPS) as amended by RPS Change 6 (NPSUD):

Objective 23 A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth

- Plan Change 4 is to provide for higher density residential development within the existing Kawerau township.

Objective 26 The productive potential of the region's rural land resource is sustained and the growth and efficient operation of rural production activities are provided for

- Roy Stoneham Park is not on land used for rural production activities.

Policy UG 8B: Implementing high quality urban design and live-work-play principles

- The development will contribute to the high quality urban design principles in Appendix B of the Regional Policy Statement as relevant to the Kawerau township and its context.

Policy UG 9B: Co-ordinating new urban development with infrastructure

Policy UG 10B: Rezoning and development of urban land – investment and infrastructure considerations

Policy UG 11B: Managing the effects of subdivision, use and development on infrastructure

- Residential development at Roy Stoneham Park will connect to existing infrastructure in the surrounding area.

Policy UG 12B: Providing quality open spaces

- The wider proposal to develop Roy Stoneham Park for residential purposes includes redevelopment of the Stock Pound area in Kawerau for quality recreational use, and the inclusion of parks and open spaces within the new development.

Policy UG 13B: Promoting the integration of land use and transportation

- Residential development at Roy Stoneham Park will connect to existing transport infrastructure in the surrounding area. This includes the Kawerau to Whakatane #135 bus service on Valley Road and Fenton Mill Road near the location.

Policy UG 14B: Restricting urban activities outside urban environments (RPS Change 6 version)

- The proposal is for urban growth within an existing urban area that has reticulated water and wastewater services and is an efficient use of land in Kawerau District.

Policy UG 22B: Te Tiriti o Waitangi Principles (RPS Change 6 version)

- Section 4 of this report documents consultation with iwi during the development of proposed Plan Change 4.
- The proposed use of a Residential Growth Precinct allows application of that Precinct to other undeveloped areas in Kawerau if appropriate. This includes land owned by Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust and other Māori Trustees, and land that could be developed for urban papakāinga.

In summary, Plan Change 4 is consistent with the provisions of the RPS above as residential development on Stoneham Park is within the existing urban area and:

- Contributes to achieving a compact urban form
- Does not affect rural production land
- Provides for residents to live, work, play and learn in Kawerau District
- Utilises existing infrastructure in the area, including transport infrastructure
- Provides open space through provision of parks within the development
- Is consistent with sound resource management principals.

4. Consultation with iwi

4.1 Background – Relationships between Iwi, Tangata Whenua and Council

Kawerau District Council (Council) is committed to an open dialogue and working relationship with Māori, Tangata Whenua and Iwi, and has been working towards growing these relationships.

Council recognises Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust as tangata whenua and mana whenua of the Kawerau rohe (as a statutory Te Tiriti o Te Waitangi consultation partner).

At a governance level, the Iwi Kaumātua role appointed for Council by Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust in the previous term has provided Council with a Te Ao Māori lens within policy, decision-making and cultural areas through scheduled ongoing kōrero kanohi ki te kanohi.

Council also meet regularly with Kaumātua and Tohia o te Rangi Marae Chair who also forms the Iwi Kaumātua forum. Tohia o te Rangi has sought a boundary change so that the marae is within the Kawerau rohe, where it is already serviced by Te Kaunihera a Rohe o Kawerau.

A significant proportion of the 62 percent of Māori residents in Kawerau are from Iwi other than Ngāti Tūwharetoa ki Kawerau. Council ensures the view of the entire hapori by engaging with the Kaumātua and Rautahi Marae committee, an urban marae and consultation partner.

4.2 Iwi and Tangata Whenua Engagement - Stoneham Park Residential Development

Initial discussions and the formation of Kawerau District Council's housing strategy occurred during the Long Term Plan 2018-2028 community engagement processes. This comprised planning and discussions regarding the Porritt Glade Lifestyle Village and the freehold house and land residential developments Central Cove, Hine Te Ariki / Bell Street and Stoneham Park.

Detailed plans and discussion specifically regarding the Stoneham Park residential development occurred during the Long Term Plan 2021-2031 pre-engagement and kōrero kanohi ki te kanohi with Iwi and Tangata Whenua in May 2021.

The Iwi Kaumātua have been involved with ongoing hui and wānanga (workshops) comprising the funding, principles and outcomes Council aims to achieve for the community through the Stoneham Park residential development.

In August and September 2022, Te Kaunihera a Rohe o Kawerau held wānanga for the Iwi Kaumātua regarding the Three Waters Reform 'better off funding' available for the rohe. Hui encompassed the need for the plan changes to be introduced to maximise the development, while ensuring it is in keeping with the surrounding properties.

In November 2022, during the regular wānanga Te Kaunihera a Rohe o Kawerau continued the discussions with Iwi Kaumātua specifically outlining the reasons for the District Plan Changes proposed as part of the residential growth precinct. The main reason outlined is that it would enable Council to achieve its vision of a variety of housing to maximise the available land and enable quality housing.

Council met and discussed the housing strategy, specifically Stoneham Park residential development, and the district plan changes and reserve swap required to progress the development with Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust staff in August 2022 and the Chair and Trustees in September 2022.

At this hui-a-Iwi, Council raised the opportunity of partnering in the development with Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust. Subsequent hui are planned to discuss this

opportunity and how the Residential Growth Precinct and proposed plan changes could be utilised by Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust (or other Māori land trusts) for any prospective residential developments they may wish to undertake in the rohe.

4.3 Feedback and Issues Raised – Plan Change 4 ‘Residential Zone Precinct’

During the kōrero, kanohi ki te kanohi with Iwi Kaumātua and the Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust there were no objections or negative feedback regarding the funding, principles and outcomes.

Feedback raised in these forums included discussions regarding the housing crisis, overcrowding, population growth, quality of housing and the need for a variety of housing to suit different levels of financial ability, seniors, whānau and inter-generational living.

In addition, there has been feedback for Kawerau to look after the hapori in terms of providing and enhancing job creation and retention through the development.

Te Kaunihera a rohe o Kawerau will continue to engage and consult with Iwi Kaumātua and Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust to discuss the Stoneham Park residential development.

5. Evaluation under Section 32 RMA

5.1 Appropriateness of Objectives to Achieve Purpose of RMA

Plan Change 4 proposes to add an Objective to the Residential Zone chapter of the District Plan:

C3.2.1.2 Residential Growth Precincts are ‘communities within a community’ enabling greater density of residential development through a range of section sizes and housing types, while providing quality amenity for residents through attractive streetscapes and recreation spaces.

Section 5 RMA specifies the purpose of the Act (this is included in the table below).

Objective C3.2.1.2 Plan Change 4	
<i>C3.2.1.2 Residential Growth Precincts are ‘communities within a community’ enabling greater density of residential development through a range of section sizes and housing types, while providing quality amenity for residents through attractive streetscapes and recreation spaces.</i>	
Evaluation of Objective C3.2.1.2 against purpose of the RMA	
Section 5 RMA - Purpose	Assessment
<p>(1) <i>The purpose of this Act is to promote the sustainable management of natural and physical resources.</i></p> <p>(2) <i>In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</i></p> <p>(a) <i>sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</i></p> <p>(b) <i>safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</i></p> <p>(c) <i>avoiding, remedying, or mitigating any adverse effects of activities on the environment.</i></p>	<p>Objective C3.2.1.2 achieves the purpose of the RMA as it is to promote the sustainable management of natural and physical resources. This is achieved through providing for a variety of housing types and section sizes in a Residential Growth Precinct and using land within the existing urban area efficiently. This will assist with enabling the Kawerau community to provide for the well-being of its residents, and also meeting the housing needs of the reasonably foreseeable needs of the future population and generations.</p> <p>Avoiding, remedying or mitigating adverse effects of residential development at Roy Stoneham Park will be achieved through resource consent conditions on a comprehensive development consent and associated resource consents.</p>
Section 6 RMA – Matters of national importance	Assessment
<i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources,</i>	Where relevant, Section 6 matters are addressed through existing objectives contained in other parts of the District Plan, which are not being amended by Plan Change 4.

<p><i>shall recognise and provide for the following matters of national importance:</i></p> <p><i>(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</i></p> <p><i>(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</i></p> <p><i>(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:</i></p> <p><i>(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:</i></p> <p><i>(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:</i></p> <p><i>(f) the protection of historic heritage from inappropriate subdivision, use, and development:</i></p> <p><i>(g) the protection of protected customary rights:</i></p> <p><i>(h) the management of significant risks from natural hazards.</i></p>	<p>Section 6(a), (b), (c), (d) and (f) are not relevant to the location of the site.</p> <p>Section 6(e) - Refer to Section 4 Consultation for details of engagement with tangata whenua on the residential development of Roy Stoneham Park.</p> <p>Section 6(g) – there are no protected customary rights affecting Roy Stoneham Park (these relate to the Marine and Coastal Area (Takutai Moana) Act).</p> <p>Section 6(h) – the site is not at significant risk from natural hazards.</p>
<p>Section 7 RMA – Other matters</p>	<p>Assessment</p>
<p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—</i></p> <p><i>(a) kaitiakitanga:</i></p> <p><i>(aa) the ethic of stewardship:</i></p> <p><i>(b) the efficient use and development of natural and physical resources:</i></p> <p><i>(ba) the efficiency of the end use of energy:</i></p> <p><i>(c) the maintenance and enhancement of amenity values:</i></p> <p><i>(d) intrinsic values of ecosystems:</i></p> <p><i>(e) [Repealed]</i></p> <p><i>(f) maintenance and enhancement of the quality of the environment:</i></p> <p><i>(g) any finite characteristics of natural and physical resources:</i></p> <p><i>(h) the protection of the habitat of trout and salmon:</i></p> <p><i>(i) the effects of climate change:</i></p>	<p>Where relevant, Section 7 matters are addressed through existing objectives contained in other parts of the District Plan, which are not being amended by Plan Change 4.</p> <p>Objective C3.2.1.2 is consistent with the following:</p> <ul style="list-style-type: none"> • Section 7(b) as it promotes the efficient use and development of the existing urban environment and infrastructure. • Section 7(c) as it provides quality amenity for residents within the Precinct through attractive streetscapes and recreation spaces.

<i>(j) the benefits to be derived from the use and development of renewable energy.</i>	
Section 8 RMA – Treaty of Waitangi	Assessment
<i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</i>	Refer to Section 4 Consultation for details of engagement with tangata whenua on the residential development of Roy Stoneham Park.

5.2 Identification and Evaluation of Options to Achieve Objectives

The range of options below have been identified to achieve new Objective C3.2.1.2.

Status Quo (no change to Kawerau District Plan) does not achieve new Objective C3.2.1.2 and the purpose of Plan Change 4 and has not been considered further.

Options to Achieve Objective C3.2.1.2

Option	Explanation
1	Rezone Roy Stoneham Park to Residential (no other changes to the Residential and Sub-division provisions in the Kawerau District Plan)
2	Rezone Roy Stoneham Park to Residential and amend specific provisions in the Residential Zone and Sub-division provisions (Rules) to provide for development through a precinct approach
3	Include rezoning of Roy Stoneham Park and other changes in a District Plan review
4	Apply the Medium Density Residential Standards in the RMA to Roy Stoneham Park
5	Develop other Council land in Kawerau District for residential use
6	Rely on private developers to progress new residential greenfield areas in Kawerau District
7	Rely on infill housing to provide additional housing
8	Use a Consent notice under s221 RMA to allow for reduced yards and other variations in Stoneham Park

The reasonably practicable options above are evaluated further below to identify a preferred option.

5.3 Evaluation of reasonably practicable options

Evaluation of reasonably practicable options				
Option	Relevance	Achievability	Acceptability and Reasonableness	Recommendation
1 - Rezone Roy Stoneham Park to Residential (no other changes to the Residential and Sub-division provisions in the Kawerau District Plan)	The option would partly respond to the purpose of Plan Change 4 by making more land available for residential development in Kawerau.	The option would partly achieve the purpose of Plan Change 4. But this option would retain residential rules that would be restrictive on smaller sites and require resource consent for houses to be built.	It is not reasonable to expect resource consent for houses that otherwise breach residential rules (such as front yard setbacks) in a new urban precinct explicitly intended to provide higher density development than currently in Kawerau township.	DISCARD This option would not fully achieve new Objective C3.2.1.2 and the purpose of Plan Change 4.
2 - Rezone Roy Stoneham Park to Residential and amend specific provisions in the Residential Zone and Sub-division provisions (Rules) to provide for development through a precinct approach	The option would respond to the purpose of Plan Change 4 by making more land available for residential development in Kawerau and providing for development on smaller sections.	The option would achieve the matters in the purpose of Plan Change 4.	It is appropriate that provision is made for higher density in a precinct targeted for new residential development. Applying such changes to the whole Residential zone may not be acceptable to the wider community. Other areas may be appropriate for similar higher density – but this should be discussed with the owners/developers of those areas and any changes progressed through a wider District Plan review.	EVALUATE FURTHER This option will achieve new Objective C3.2.1.2 and the purpose of Plan Change 4.

Evaluation of reasonably practicable options				
Option	Relevance	Achievability	Acceptability and Reasonableness	Recommendation
3 - Include rezoning of Roy Stoneham Park and other changes in a District Plan review	The option would respond to the purpose of Plan Change 4 by making more land available for residential development in Kawerau and providing for development on smaller sections. However, it would not meet the timing requirement around the matter.	The option would achieve the matters in the purpose of Plan Change 4, except the timing intention.	The option delays residential development on Roy Stoneham Park, which is inconsistent with the purpose of Plan Change 4.	DISCARD This option may achieve new Objective C3.2.1.2 and the purpose of Plan Change 4, but not in a timely manner. To focus resources effectively, Council will progress a District Plan review after PC4. Consultation on the Residential Growth Precinct in PC4 will be used to inform the wider District Plan review.
4 - Apply the Medium Density Residential Standards (MDRS) in the RMA to Roy Stoneham Park	This option would be in tandem with rezoning of Roy Stoneham Park to Residential. The MDRS provisions are designed to apply to Tier 1 urban environments (and Tier 2 and 3 in certain circumstances). These are large urban environments, such as Auckland, Hamilton and Tauranga and associated towns (e.g. Omokoroa and Te Puke for	While MDRS developments may be physically possible on flat sites in Kawerau, such developments are unlikely to meet the needs of the local housing market.	The MDRS are not appropriate to a town the size of Kawerau. Refer to Appendix 1 for assessment of appropriate standards to achieve the development outcomes in new Objective C3.2.1.2.	DISCARD This option would not be appropriate to the Kawerau Residential Zone at this time.

Evaluation of reasonably practicable options				
Option	Relevance	Achievability	Acceptability and Reasonableness	Recommendation
	Tauranga). At this time, the MDRS provisions are not seen as appropriate to the Kawerau urban area.			
5 - Develop other Council land in Kawerau District for residential use	The option could respond to the purpose of Plan Change 4 by making more land available for residential development in Kawerau – but only if suitable land was identified.	Kawerau District Council considered the Council Stock Pound on Fenton Mill Road (zoned Reserve in the Operative District Plan). The Stock Pound land is surrounded by reserve land and there is very little likelihood that it would ever be suitable for residential development because of its steep gradient and southerly aspect.	This option is not reasonable at this stage due to a lack of suitable land.	DISCARD This option would not achieve the purpose of Plan Change 4 due to a lack of suitable land.
6 - Rely on private developers to progress new residential greenfield areas in Kawerau District	The option could respond to the purpose of Plan Change 4 by making more land available for residential development in Kawerau – but is dependent on sufficient greenfield land being identified.	Kawerau has limited freehold land available for future housing developments to support the anticipated demand for residential property.	This option is not reasonable at this stage due to a lack of freehold land.	DISCARD This option would not achieve new Objective C3.2.1.2 and the purpose of Plan Change 4 due to a lack of freehold land.
7 - Rely on infill housing to provide additional housing	This option would not respond to the purpose of Plan Change 4 to make more	Kawerau District Plan already provides for infill housing. While there has	It is not reasonable to expect the future housing needs of Kawerau to be	DISCARD This option would not achieve new Objective

Evaluation of reasonably practicable options				
Option	Relevance	Achievability	Acceptability and Reasonableness	Recommendation
	land available for residential development.	been some infill by private landowners and developers, this option doesn't guarantee housing at a scale needed in Kawerau.	fully supplied by infill housing.	C3.2.1.2 and the purpose of Plan Change 4 as it doesn't guarantee housing at the scale needed.
8 - Use a Consent notice under s221 RMA to allow for reduced yards and other variations in Stoneham Park	<p>This option would be in tandem with rezoning of Roy Stoneham Park to Residential.</p> <p>It is unlikely to achieve the purpose of Plan Change 4 to provide for smaller sections and higher density development.</p>	A consent notice could be applied to a Comprehensive Development/Subdivision consent for Residential Growth Precinct. However, consent notices are largely for restrictive purposes (e.g. location of building platforms, retention of trees, etc) as a 'covenant' on a property or area. As such this is not an appropriate mechanism to achieve a more permissive approach than current District Plan Residential Zone rules.	Refer to comment in the Achievability column.	DISCARD This option would not achieve new Objective C3.2.1.2 and the purpose of Plan Change 4.

5.4 Evaluation of Preferred Option – Option 2

Option 2 results in the following changes to the Kawerau District Plan:

- Add an Objective (new C3.2.1.2) and Policy (new C3.2.2.4) for Residential Growth Precincts in the Residential Zone section
- Change specific rules in the Residential Zone section to provide for Residential Growth Precincts:
 - Rule C3.3.1 Permitted Activities – provide for one additional minor dwelling
 - Rule C3.4.1 Height – daylighting provision
 - Rule C3.4.2 Yards – front yards and side yards
 - Rule C3.4.3 Density Coverage
 - (new) Rule C3.4.12 – Additional minor dwelling or accessory building used for habitation
- Change the shape factor requirements in the Subdivision section – C7.7.6(b) to provide for narrower lot sizes in Residential Growth Precincts
- Change Plan Maps 5 and 6 to rezone Roy Stoneham Park as Residential and apply the Residential Growth Precinct to that site.

An explanation of Residential Growth Precinct changes (as per the rules listed above) is contained in Appendix 1 (District Plan Change 4 – Residential Growth Precinct Provisions, report by Veros, January 2023).

An explanation of why a Precinct approach has been applied in Plan Change 4 is provided in Appendix 2.

Evaluation of Preferred Option 2 - Rezone Roy Stoneham Park to Residential and amend specific provisions in the Residential Zone and Sub-division provisions (Rules) to provide for development through a precinct approach		
	Costs	Benefits
Environmental	The potential adverse effects resulting from residential development of Roy Stoneham Park are listed below, along with the mechanisms that will be used to address the effects. Resource consent applications will not be lodged until decisions on Plan Change 4 have been made.	Residential development would make efficient use of the land within the existing Kawerau township and promotes infrastructure efficiency. Supports an urban form that provides best utilisation of the land.

	<p><u>Site development stage</u> Effects addressed by resource consent conditions:</p> <ul style="list-style-type: none"> • Earthworks (sediment and erosion, dust, noise, vibration) • Construction of infrastructure (roading, 3 waters infrastructure, telecommunications) • Increased stormwater from residential development (stormwater quantity and quality) <p><u>Residential development stage</u> Effects addressed by sub-division consent conditions:</p> <ul style="list-style-type: none"> • Traffic flows and generation • Crime prevention • Density of housing/section sizes 	<p>The area is located near the existing bus route (Route #135) that provides connections within the town area and to Whakatane. This provides residents with travel options and the potential to contribute to transport emission reduction.</p> <p>Site coverage will continue to be controlled through rules in the Kawerau District Plan.</p>
<p>Economic</p>	<p>Cost of residential site development, including resource consents and site development works (earthworks and infrastructure).</p>	<p>Provides for housing development capacity needed in Kawerau District.</p> <p>Employment opportunities would arise from construction activity resulting from residential development.</p> <p>Provides for more rateable properties and additional rates for the District.</p> <p>Reduced cost of maintaining Roy Stoneham Park (mowing, etc).</p> <p>The 3 waters infrastructure in the area is sufficient to accommodate the anticipated residential development (refer to Appendix 3).</p>

<p>Social</p>	<p>Potential effects on adjoining properties and surrounding neighbourhood from residential development.</p> <p>Potential negative impact to community from changing the use of Roy Stoneham Park.</p>	<p>Greater housing choice, including section size and opportunity to build warm, healthier, low maintenance modern homes.</p> <p>Provides housing opportunities for both housing purchasers and renters.</p> <p>Contributes to meeting the future housing needs of the Kawerau community.</p> <p>Parks and open space within the residential development are provided for in a Master Plan concept for the area that will be better targeted to the needs of the community in that area.</p> <p>Exchange of reserve land and development of Stock Pound land for recreational use.</p>
<p>Cultural</p>	<p>Potential effects of higher density residential development on the receiving environment, in particular from increased stormwater management.</p> <p>Potential effects on iwi owned farmland to south of the site.</p>	<p>Provides opportunity for papakāinga or other housing options for whānau within Kawerau.</p> <p>Refer to Section 4 for iwi consultation record.</p>
<p>Economic growth provided for or reduced</p>	<p>This option provides for the increase in housing development capacity in the District.</p> <p>Employment opportunities would arise from construction activity resulting from residential development.</p> <p>Provides for more rateable properties and additional rates for the District.</p>	
<p>Employment opportunities</p>	<p>Employment opportunities would arise from construction activity resulting from residential development.</p>	

Uncertain or insufficient information	There is sufficient information on the current and future housing needs of Kawerau to indicate that additional residential freehold land is required, and housing market needs for a range of section sizes and modern housing options.
Risk of acting or not acting	The risk of not acting is high. Additional residential development is necessary to supply the future housing needs of Kawerau, and to provide for greater density residential development and a variety of housing types not otherwise permitted in the District Plan.
Effectiveness	This option provides a package of provisions that is an effective means of achieving the purpose of Plan Change 4. The approach enables timely residential development of Roy Stoneham Park and provides for a range of housing types to be built on smaller sections without the need for resource consent (where such development is reasonable).
Efficiency	This option provides a package of provisions that is an efficient means of achieving the purpose of Plan Change 4. The approach provides for a range of housing types to be built on smaller sections without the need for resource consent (where such development is reasonable).
Summary	A plan change that addresses the rezoning of Roy Stoneham Park to Residential, and appropriate changes to the Residential Zone and Subdivision requirements to provide for housing development on smaller sections in a Residential Growth Precinct is the most appropriate approach to achieve the purpose of Plan Change 4.

Glossary

Consent notice - where a condition of subdivision consent is required to be complied with on an ongoing basis after the subdivision has been completed, a consent notice can be issued (under s221 of the RMA) and registered against a new property title in the subdivision. For example, a requirement to keep a planted hedge at not less than 3 metres high.

Hapori – community.

Infill housing – building on new houses within an existing site. Includes subdivision of an existing property (e.g. a new house on the rear or front of a section), or removing an existing one storey house and replacing with townhouses or flats.

Iwi Kaumātua - Refers to the Iwi Cultural Advisor for Council appointed by Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust as a statutory Te Tiriti o Te Waitangi consultation partner , Tangata Whenua and Mana Whenua.

Iwi Kaumātua Forum - The Forum includes Kaumātua representing Marae Chairs of Ngāti Tūwharetoa (Bay of Plenty) Marae including Te Tohia o te Rangi, and Hahuru, Rautahi Marae and other Kaumātua and Kuia as directed by the Iwi Cultural Advisor.

Kanohi ki te kanohi – face to face.

Kaumātua – elder person, a person of status within the whanau.

Kōrero – discussion, conversation.

Mana whenua – iwi or hapu customary authority over a particular area.

Medium Density Residential Standards (MDRS) – permitted housing rules that must be applied by specified district and city councils under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Does not apply to Kawerau District. The rules allow up to three dwellings of up to three storeys to be developed on each site without the need for a resource consent. More information is available here: <https://environment.govt.nz/publications/medium-density-residential-standards-a-guide-for-territorial-authorities/>

Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust – The statutory Te Tiriti o Waitangi Tangata Whenua and Mana Whenua representing the Tūwharetoa (Bay of Plenty) iwi.

Papa Kāinga – means housing on Māori ancestral land (whenua Māori), and may include other community facilities such as marae, shared gardens and activities that provide jobs and income to those living in the papa kāinga. Development of papa kāinga on other land may also occur in some situations.

Protected customary rights – the rights to carry out an activity, use or practice in accordance with tikanga without the need for a resource consent. Relates to customary marine title under the Marine and Coastal Area (Takutai Moana) Act.

Residential Growth Precinct – for the purposes of Plan Change 4 it is a planning mechanism to apply specific rules within the Residential Zone. ‘Residential Growth Precinct’ has been used to describe how the specific

area been identified for more intensive development than other parts of the Residential Zone. Also See Appendix 2 of this report for further explanation.

Revoke / revocation – for the purposes of Plan Change 4 it means removing the reserve status from Roy Stoneham Park (i.e. cancel or withdraw).

RMA – Resource Management Act.

Rohe – district, region or territory.

Tangata whenua – the people of the land; Māori iwi or hapū local to a particular area.

Te Ao Māori – the Māori world view that acknowledges the interconnectedness and interrelationship of all living and non-living things. Includes Māori culture, te Reo Māori (Māori language) and tikanga Māori (protocols and customs).

Te Kaunihera a Rohe o Kawerau – Kawerau District Council.

Wānanga – forum, seminar, workshop (including educational seminar).

Appendix 1

District Plan Change 4 – Residential Growth Precinct Provisions, report by Veros 2023



District Plan Change 4
Residential Growth Precinct Provisions
Residential Development of Roy Stoneham Park –
Kawerau District Council



Statement of Limitation

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PREPARED FOR:



PREPARED BY:



DOCUMENT ACCEPTANCE:

Action	Name	Signed	Date
Draft approved for issue:	Mathew Gibbard		17 th January 2023
Final approved for issue:	Morgan Jones		17 th January 2023

Introduction

Kawerau District Council (Council) is seeking to enable the development of surplus, vacant land at Roy Stoneham Park into a quality residential community. Plan Change 4 will enable the project by rezoning the land to residential and applying a 'Residential Growth Precinct' to the area.

As part of deciding to progress with the project, Council has undertaken various concept designs and business cases to test and refine the best type of residential development. A key objective of Council is not only to lead and deliver positive housing outcomes for the District, but ensure it is commercially viable to deliver.

In understanding what will deliver the optimal outcome for the land, it has been identified that the existing residential District Plan provisions are dated and in some instances are a barrier to enabling what are considered best practice residential outcomes. As a District Plan change is required to rezone the land to residential, it is recommended that the Plan Change also provides residential development performance standards to support the desired residential outcomes. It is appropriate to apply a precinct approach to achieve those outcomes.

The objectives of altering the District Plan to support the development are:

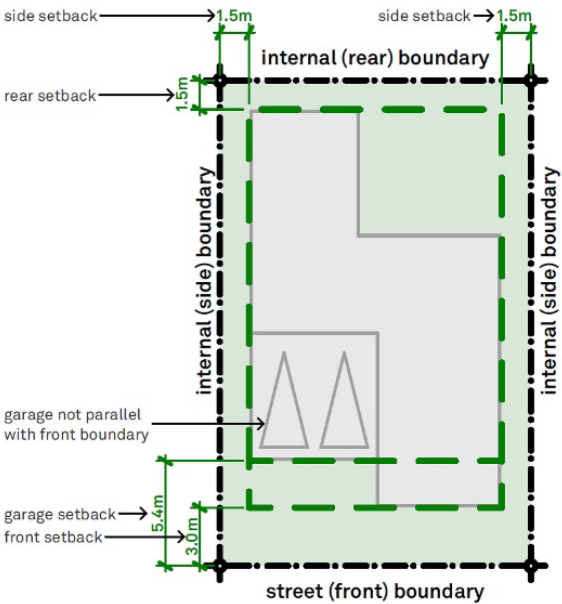
- District Plan policies and performance standards that support the optimal residential outcome for Roy Stoneham Park.
- Deliver a flexible regulatory environment whilst providing confidence to community that the development which can be undertaken will have net positive effect on Kawerau.

This report outlines recommended changes to the existing residential development provisions which could be adopted for the Plan Change 4 Residential Development of Roy Stoneham Park.

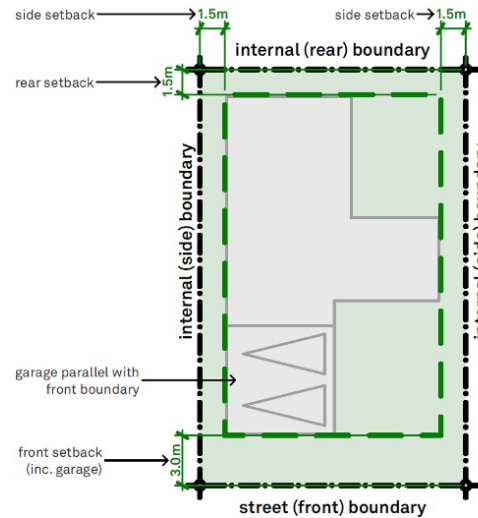
Existing District Plan Provisions and Recommended Amendments

Veros has reviewed the existing residential provisions and recommend the following changes are made as part of Plan Change 4. For clarity purposes, the proposed amendments are shown below with old provisions ~~struck out~~ and recommended provisions in red. Reference images demonstrating several of the proposed changes are also provided below. The changes would only apply within a New Residential Growth Precinct which would overlay Roy Stoneham Park.

Operative Rule	Operative Rule	Proposed Rule Revision	Reason
C3.4.1 Height	<p>The maximum height of any building or structure in the Residential zone shall be: 8.0 metres</p> <p>No part of any building or structure shall exceed a height of 2.0 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary.</p> <p>Note: See definition of height.</p>	<p>The maximum height of any building or structure in the Residential zone shall be: 8.0 metres</p> <p>No part of any building or structure shall exceed a height of 2.0 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except in a Residential Growth Precinct.</p> <p>In a Residential Growth Precinct, no part of the building or structure shall project beyond a 45° recession plane 2.7 metres above the ground from the shortest horizontal distance between that part of the building and the nearest site boundary. This standard does not apply to a common wall for a duplex.</p> <p>Note: See definition of height.</p>	<p>Enables in a Residential Growth Precinct (RGP):</p> <ul style="list-style-type: none"> - Construction of dwellings closer to boundaries with lower sun lighting restrictions - Changes that are in line with neighbouring Council’s DPs providing substantiation for changes to plan - Enables construction of semi-detached houses (duplexes) - Restricts changes to RGP zones only - Adopting the MDRS rules could be perceived as too aggressive for Kawarau and could detract from the town’s character

Operative Rule	Operative Rule	Proposed Rule Revision	Reason
<p>C3.4.2 Yards</p>	<p>The minimum distance between any building or structure and the front boundary of the site shall be:</p> <p>5.0 metres</p> <p>The minimum distance between any building or structure and the side or rear boundary of the site shall be:</p> <p>1.5 metres</p> <p>Note: This distance can be reduced subject to the written consent of the owner of land whose boundary is within 1.5 metres of the building. In the case of an access under shared ownership written consent shall be required from all persons having legal interest in the access.</p>	<p>The minimum distance between any building or structure and the front boundary of the site shall be:</p> <p>- 5 metres</p> <p>In a Residential Growth Precinct, the following standards apply:</p> <ol style="list-style-type: none"> 1. The minimum distance between any building or structure front façade and the front road boundary of the site shall be: <ul style="list-style-type: none"> - 3 metres 2. The minimum distance between the garage door and the road boundary of the site shall be: <ul style="list-style-type: none"> - 5.4 metres 	<p>Enables:</p> <ul style="list-style-type: none"> - Construction of dwellings closer to front boundaries, allowing housing choice - Enables construction of semi-detached houses (duplexes) - leaves space for a utility vehicle to be parked in the driveway - Changes that are in line with neighbouring Council's DPs providing substantiation for changes to plan - Restricts changes to RGP zones only

3. Garages that are positioned parallel to the front road boundary can utilise the 'front façade' setback.



The minimum distance between any building or structure and the side or rear boundary of the site shall be:

1.5 metres

Note: This distance can be reduced subject to the written consent of the owner of land whose boundary is within 1.5 metres of the building. In the case of an access under shared ownership written consent shall be required from all persons having legal interest in the access.

In a Residential Growth Precinct, the 1.5m side boundary standard does not apply to the common wall boundary of semi-detached dwellings designed for two sites where the dwellings are constructed contemporaneously (at the same time). One side boundary of 1.5 metres must be retained on each site.

Operative Rule	Operative Rule	Proposed Rule Revision	Reason
C3.4.3 Density Coverage	<p>The maximum area of a site covered by all buildings shall not exceed 35%.</p> <p>There shall be a maximum density of one dwelling house or one household-unit per site.</p>	<p>The maximum area of a site covered by all buildings shall not exceed 35%.</p> <p>There shall be a maximum density of one dwelling house or one household-unit-per site except in a Residential Growth Precinct.</p> <p>In a Residential Growth Precinct:</p> <ul style="list-style-type: none"> - The maximum area of a site covered by all buildings shall not exceed 50%. - One additional minor dwelling or accessory building used for habitation is allowed. The additional minor dwelling or accessory building must meet the permitted standards in section C3.4.12. 	<p>Enables:</p> <ul style="list-style-type: none"> - Construction of dwellings on smaller sections allowing housing choices - Construction of “intergenerational whānau living” dwellings or “homes and income” dwellings - Changes that are in line with neighbouring Council’s DPs providing substantiation for changes to plan - Restricts changes to RGP zones only
C3.4.12 Additional minor dwelling or accessory building used for habitation in a Residential Growth Precinct		<p>One additional minor dwelling or accessory building (sleep out), secondary to a principal dwelling of no less than 90m², excluding decks and garage, is allowed in a Residential Growth Precinct.</p> <p>The additional minor dwelling or accessory building used for habitation:</p> <ul style="list-style-type: none"> - Must be attached to the principal dwelling or be an integrated part of the building. - Must not exceed 65m² excluding decks and garage <p>Note: The additional dwelling or accessory building used for habitation must meet all the permitted standards in section C3.4 (including yard setback, height, and density coverage).</p>	<p>Defines standards for minor dwellings or accessory buildings in an RGP.</p>
Operative Rule	Operative Rule	Proposed revision	Reason

<p>C7.7.6 Subdivision Design b) Shape Factor</p>	<p>All lots intended to be used for residential dwellings shall be of a shape which would contain a 15m diameter circle as minimum requirement.</p>	<p>All lots intended to be used for residential dwellings shall be of a shape which would contain a 15m diameter circle as minimum requirement, except in a Residential Growth Precinct.</p> <p>In a Residential Growth Precinct all lots intended to be used for residential dwellings shall be of a shape which would contain a 10m diameter circle as minimum requirement.</p>	<p>Enables:</p> <ul style="list-style-type: none"> - Construction of dwellings on smaller sections, allowing housing choices - Changes that are in line with neighbouring Council's DPs providing substantiation for changes to plan - Restricts changes to RGP zones only - Good design outcomes can be achieved on 10m shape
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Reasons for Recommended Changes

The fundamental reason these changes are recommended is because the existing residential provisions of the District Plan were adopted in May 2012 and do not support the residential outcomes which the Roy Stoneham Park development is seeking to achieve. At this point, it is proposed that the recommended changes only relate to the Residential Growth Precinct but could be applied to other urban growth areas in Kawerau in future Plan Changes.

In the last 10 years there have been significant advances the type of subdivision and housing being delivered across provincial New Zealand. The changes have mainly been driven with the objective of using land and infrastructure more efficiently whilst still delivering positive urban outcomes and residential amenity.

Central government and local authorities have led much of this strategic change and District Plans around New Zealand have been modified to suit. A comparison residential provisions of Council's surrounding Kawerau is provided on the following page. The provisions generally enable for intensive housing which leads to better utilisation of existing public infrastructure such as roads, three-water assets and reserves and open spaces. In addition, enabling more intensive subdivision and housing supports the viability of public transport as well existing commercial and community areas.

In this instance, the proposed changes support a variety of types and sizes of houses which meet the needs of a wide sector of the Kawerau community whilst preserving residential amenity. This not only leads to the efficiencies and benefits as outlined above, but also enables more housing choices to be delivered whilst ensuring it is still designed well which is a key objective of the project.

Comparison with Nearby Councils

Several local authorities have made changes of this nature to their District Plan over recent years and already have Operative District Plan rules similar or the same to those being recommended.

The table below provides a comparison of the proposed provisions under Plan Change 4 and the existing provisions in District Plans of nearby Councils and those of similar nature. The proposed changes generally align with the rules of these surrounding Council's.

Provision	Kawerau District Council Proposed Changes	Whakatāne District Council Residential Zone	Rotorua District Plan Residential Zoning *	Ōpōtiki District Plan Residential Zone	Western Bay of Plenty Residential Zone *	South Waikato District Council Tokoroa Residential Zone
Front yard setback from building	3m	4m	5m	4.5m	4m	3m
Garage set back	5.4m	5.5m	Practicable parking space in front of garage	Silent	5m	Silent
Side yard	1.5m	1.5m	2.5m	1.5m	1.5m	1.5m
Height	8m	10m	8m	9m	8m	8m
Light	45 degrees from 2.7m	45 degrees from 2.7m	45 degrees from 3m	45 degrees from 2.7m	45 degrees from 2m	45 degrees from 3m
Site coverage	50%	50%	40%	40%	40-50% (controlled)	40%
Shape factor	10m	N/A	N/A	N/A	N/A	N/A
Minimum site		400m ²	350m ²	400m ²	350m ² to 800m ²	450m ²

Provision	Kawerau District Council Proposed Changes	Whakatane District Council Residential Zone	Rotorua District Plan Residential Zoning *	Opotiki District Plan Residential Zone	Western Bay of Plenty Residential Zone *	South Waikato District Council Tokoroa Residential Zone
Minor Dwellings & Accessory Buildings	Attached or integrated Minor dwelling or accessory building (sleep out) of 65m ² allowed if primary dwelling is 90m ² or larger	One accessory building for habitation per lot in conjunction with primary dwelling No accessory building for habitation shall exceed 65m ² in GFA.	Accessory units permitted For sites that exceed a net site area of 600m ² , there may be one minor household unit with a net floor area not exceeding 72m ² (excluding garaging).	Accessory buildings permitted	Accessory buildings permitted Minor Dwellings are controlled activity	Maximum two dwellings per property Accessory accommodation permitted
Semi-Detached Dwellings	1.5m side boundary standard does not apply to the common wall boundary of semi-detached dwellings designed for two sites where the dwellings are constructed contemporaneously (at the same time). One side boundary of 1.5 metres must be retained on each site.	Side or rear boundary can be removed subject to the written approval of any affected adjoining neighbour having been obtained, and that written approval having been lodged with the Council, dwellings and accessory buildings (for habitation or otherwise) may be constructed.	Consent required	Consent required	A building/structure may be located within a side or rear yard and up to a side or rear boundary where the written approval of the owner(s) of the immediately adjoining property to a specified lesser distance is obtained.	Subject to the written consent of adjoining owners any building setback other than a front setback may be reduced to whatever level is acceptable to the parties

*The information provided for Rotorua Lakes and Western Bay of Plenty District Council District Plans exclude areas where the Councils have to apply Medium Density Residential Standards (MDRS) through respective plan changes.

Parking and Roading Provisions

The District Plan’s current roading and parking provisions are considered adequate to enable the development.

Architectural Testing References

The following diagrams are a series of architectural testing concepts developed to demonstrate in practice how the proposed changes will work.

The diagrams shown are a variety of bulk and location designs to ensure that draft provisions are workable.

The diagrams below show the architectural testing of building setbacks. By providing a 5.4m setback from the front of the garage, so shown, there will be the opportunity to stack park vehicles on the property.

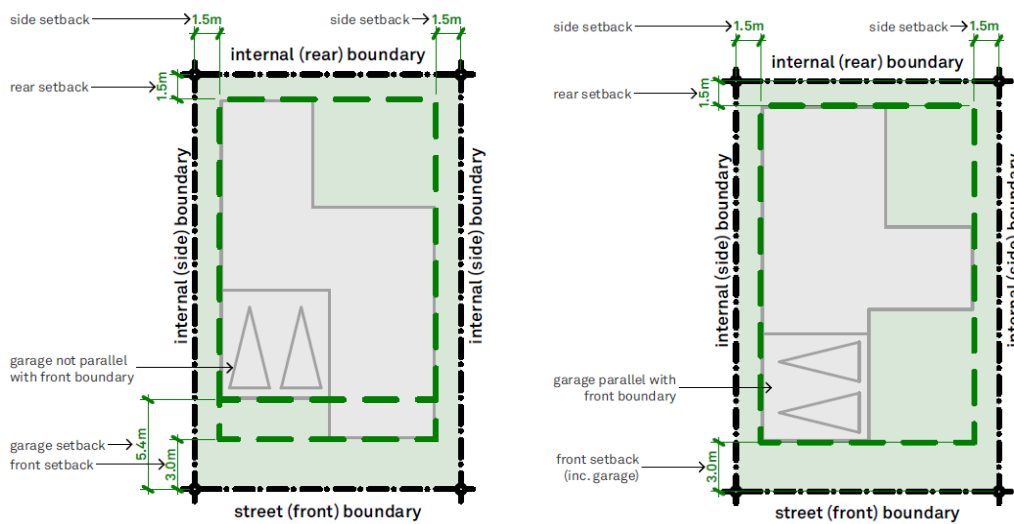


Figure 1. bulk in location diagrams of the boundary setbacks

The image below shows architectural testing of daylight control and building height.

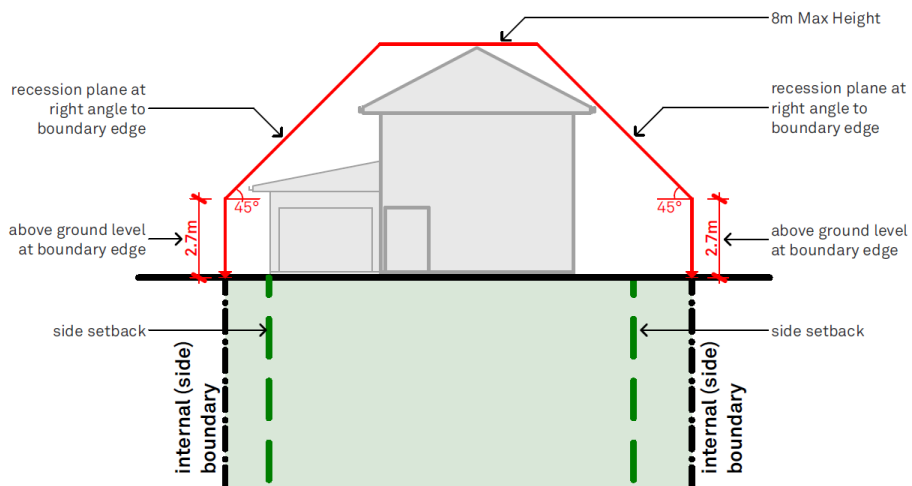


Figure 2. bulk in location diagram of the height and daylight control

Hamilton

25 Ward Street, Hamilton 3204

PO Box 112, Hamilton 3240

07 838 2887

Tauranga

78 Second Avenue, Tauranga 3110

PO Box 324, Tauranga 3144

07 579 9747

Rotorua

1072 Haupapa Street, Rotorua 3010

PO Box 1027, Rotorua 3040

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Appendix 2

Use of 'Residential Growth Precinct' in District Plan

The use of a 'precinct' in the District Plan to apply to the Roy Stoneham Park site is consistent with the National Planning Standards and the straight-forward nature of the Kawerau District Plan. The use of planning spatial layers is discussed in National Planning Standards guidance and summarised in the table below in relation to Plan Change 4.

Planning spatial layer	National Planning Standards guidance on use of spatial layer	Applicability to Plan Change 4
Overlay	<ul style="list-style-type: none"> Used to apply <u>more restrictive</u> provisions than the underlying zoning (e.g. natural hazards overlay). 	Not applicable to Plan Change 4 as less restrictive provisions are sought for the Roy Stoneham Park site.
Precinct	<ul style="list-style-type: none"> Used to apply additional place-based provisions to modify or refine aspects of the underlying zoning Dependant on the underlying zone provisions May be <u>less or more restrictive</u> than the zone rules 	Applicable to Plan Change 4 as residential development of Roy Stoneham Park site is intended to comply with many of the existing Residential Zone provisions. Specific exceptions are sought to provide for a range of section sizes and housing types.
Development area	<ul style="list-style-type: none"> Must include a concept plan/structure plan/master plan or similar The 'area' is removed once the development is completed May need a new chapter to cover the area and provisions 	Not an efficient process as would require an additional plan change in future to remove the area. Not considered further.
Special purpose zone	<ul style="list-style-type: none"> Requires a specific chapter and provisions (objectives, policies and rules) in the District Plan 	Not applicable to Plan Change 4 as residential development of Roy Stoneham Park site is intended to comply with many of the existing Residential Zone provisions. A special purpose zone is not necessary.

Appendix 3

Stoneham Park Residential – Three Waters Statement 18 October 2022



Ranfurly Court, Private Bag
Kawerau 3169
Bay of Plenty
New Zealand

Ph: 07 306 9009
Fax: 07 323 8072
Web: www.kaweraudc.govt.nz

MEMORANDUM

Re: Stoneham Park Residential Development
From: Azalea Palma, Three Waters Engineer, Kawerau District Council
Date: 18 October 2022

Kawerau District Council has an exciting opportunity to continue with its leadership in providing more build-ready residential section to be located in Roy Stoneham Park.

Even with the addition of 82 homes, KDC has the capacity to provide and maintain Three Waters Services to the whole district.

Currently, the minimum and maximum drinking water demand is 4,000 and 14,000 cubic metres per day respectively. The maximum capacity of the Kawerau Water Treatment Plant is 725 cubic metres per hour, considerably more than the maximum consumption. KDC also has three reservoirs that can hold 11,250 cubic metres of storage. These are maintained at least 75% full at all times to allow for unexpected stoppages at the pump station and reduce fluctuation in pressure to residents.

The Kawerau Waste Water Treatment Plant consists of several processes that remove solids from the wastewater. Approximately 30 tonnes of solids per week are disposed of through vermiculture with approximately 2,000 cubic metres of treated wastewater per day disposed by infiltration into the ground. The treatment plant can cater to a population 30% higher than is currently the case with the existing network having the capacity to cope with any reasonable increase in demand.

The stormwater network capacity is adequate to handle the current stormwater inflows, which occur from time to time. There are no available calculations as to the maximum capacity of the stormwater network. However, since the addition of strategically located stormwater detention basins in 2020, the system has managed to accommodate heavy rainfalls with minimal flooding – typically caused by cesspit blockages rather than insufficient capacity.

Attached is the draft development layout, which shows highlighted the designated stormwater area.

Further assessment concerning Three Waters Planning is still in the works.

The Three Waters Staff are committed to providing secure, safe, and reliable Three Waters Services to the district.

Appendix 4

Kawerau District Council Intention to Notify the Public via Newspaper, Council Website and Council Offices

DRAFT

Public Notice

24 February 2023

Resource Management Act 1991

Kawerau District Council

Proposed Plan Change 4 to the Kawerau District Plan to enable Stoneham Park Residential Development

Kawerau District Council has prepared Proposed Plan Change 4 to the Operative Kawerau District Plan to enable the Stoneham Park Residential Development, which is now open for submissions.

To realise the residential development of Stoneham Park (the former soccer club grounds), Council needs to carry out two statutory processes:

- Revoke the reserve status of Roy Stoneham Park in accordance with the Reserves Act (the reserve revocation process is being progressed in tandem with Plan Change 4).
- Rezone Roy Stoneham Park from Reserve to Residential through a change to the Kawerau District Plan (a 'Plan Change') in accordance with Schedule 1 of the Resource Management Act 1991.

Proposed Plan Change 4 – Residential Development of Roy Stoneham Park is to:

- Rezone Roy Stoneham Park from Reserve to Residential.
 - Amend maps 5 and 6 to rezone the area and apply a new Residential Growth Precinct.
- Amend specific provisions in the Residential and Sub-Division sections of the District Plan to provide for the new Residential Growth Precinct.
- All other provisions in the Kawerau District Plan remain unchanged.

Further Information

Under Section 32 of the Resource Management Act 1991 (RMA), a Proposed Plan Change must be accompanied by an evaluation report at the time of public notification.

Council advises that the Section 32 Report – Proposed Plan Change 4 and Proposed Plan Change 4 (Residential Development of Roy Stoneham Park) Kawerau District Plan documents are available for

www.veros.co.nz

inspection during office hours from the Council Office and the Kawerau District Library, both in Ranfurly Court, Kawerau.

Proposed Plan Change 4 and it's Section 32 report is also available online via the Council Website kaweraudc.govt.nz

For more information, or to request a copy of the documents sent by email, please email kaweraudc@kaweraudc.govt.nz or phone Council on 073069009.

Any person can make a submission. Submissions must be in writing.

Online submissions are available via the Council Website kaweraudc.govt.nz

A written submission can be sent to any of the following :

Email to submissions@kaweraudc.govt.nz

Post to The Chief Executive
 Kawerau District Council
 Private Bag 1004
 Kawerau 3169

Submissions must be received no later than 5pm on Friday 24 March 2022.

After the submission closing date of 24 March 2023, Kawerau District Council will publicly notify the availability of a summary of submissions and further submissions that support or oppose those submissions will be called for. Those who make submissions will have the opportunity to be heard.

For more information, please visit kaweraudc.govt.nz or view the advert on page XY



RB George

CHIEF EXECUTIVE OFFICER

24 February 2023