

## 605 Change 65: Bird Lane Rezoning

### Evaluation Overview

This Staff Evaluation Report (605) covers the matters raised in the sole submission received on Proposed Plan Change 65 Wakefield – Stage Two. This submission seeks to retain the Rural 1 zoning at Bird Lane. The submitters do not wish to be heard, therefore no hearing is required.

Two matters are raised in the submission. These relate to rates and fire permits. While decisions on rates and fire permits are technically beyond the scope of plan change 65, the matters are discussed below for the Environment & Planning Committee to consider and determine as the zone change does potentially create consequential impacts for landowners.

### Submissions Dealt with in this Report

C65.4137.1	Kingsbury, Nigel and Vanessa	ZM 91	Retain existing Rural 1 zoning at Bird Lane.
------------	---------------------------------	-------	--

### Evaluation and Recommendations 605.1

#### A. Evaluation

##### 1.0 Affected Plan Provisions

The submission relates to the proposed rezoning of land at Bird Lane as shown on Update Map 58/4. This would affect Planning Map 91 (maps 22 and 58 are also affected).

##### 2.0 Issues

The submission opposes the rezoning of land at Bird Land from Rural 1 to Residential (deferred) for the following reasons:

The submitters are concerned that their rates would rise and living on the property would become unaffordable, unless the land were to be sold for subdivision or proposed for development by the owner.

In considering the potential for a rise in rates, it is useful to understand the rating system. For Tasman, a property's rates are made up of three components:

- the General Rate - which all properties pay
- the Uniform Annual General Charge - which all properties pay
- Targeted Rates - for funding specific activities

The annual rates requirement for each rate type is determined through Council's Annual Plan or Long Term Plan process. Once the total rates revenue is determined, it is apportioned out to individual properties based on the rating factor the rate is charged on. This may include land value, capital value, per rating unit (property) etc.

Rates vary depending on the location of the property, what services can be accessed and the value of the property. A change in zoning from Rural 1 to deferred Residential is likely to increase the value of the land, however, that is only one factor in determining rates.

It is noted that Council does not determine the value of properties. Valuations are carried out by an independent valuation company and approved by the Office of the Valuer General. If values change, a notice is sent to the landowner and there is an opportunity to object to the valuation.

In addition, Council has a Policy on 'Remission of Rates for Land Subject to Council Initiated Zone Changes'. This Policy would allow the landowners to apply for their land to be rated reflecting its current use for a certain period at the discretion of Council. This may alleviate the concerns of the submitters in this regard.

The submitters are also concerned that they would be unable to obtain a fire permit should the zoning change.

The land at Bird Land is currently neither in a Fire Sensitive Area; nor a Fire Ban Area. These areas are shown on the Planning Maps (Special Map 273 covers Wakefield). As such, the landowner may currently, in accordance with conditions and with a fire permit, light a fire throughout the year. However, Council is currently reviewing the extent of the Fire Sensitive and Fire Ban Areas through a separate 'Omnibus' Plan Change. It is likely a Deferred Fire Sensitive Area would be proposed, followed by a Fire Sensitive area once the deferred zoning is uplifted in the future.

Fire Sensitive Areas allow fire permits to be issued for 9 months of the year from September to May. Any alteration to the Fire Sensitive Area is subject to a separate plan change process and the submitter will be notified and have an opportunity to submit specifically on this matter.

### 3.0 Options

- Option 1: Retain the existing Rural 1 zoning on Bird Lane, as sought by the submitter.
- Option 2: Proceed with Plan Change 65 as notified.

### B. Staff Recommendations

The staff recommendation is to proceed with Plan Change 65 as notified.

### C. Reasons

The reason for this is that the matters raised are beyond the scope of Plan Change 65. While the consequences of the rezoning may affect rates and fire permits, there are other mechanisms in place (Rating Valuation process/ Rate Remission Policy / pending future plan change to alter Fire Sensitive Areas) to allow for a fair consideration of these matters.

The change to property values and a stricter fire management regime in winter do not outweigh the positive effects sought by the Bird Lane rezoning, being the creation of land suitable for housing; rational extension of the Wakefield Village; and efficient use of infrastructure.

### D. Plan Amendments

Topic : C65 GEN

No Plan amendments.

### F. Submission Recommendations

C65.4137.1

Kingsbury, Nigel and Vanessa

Disallow