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Plan Section	Support/Oppose Decision Requested Reason for Decision Requested						
G Metcalfe seeks the following decision from Waikato District Council: The amendments and changes set out in the table below are accepted; and Any consequential amendments necessary as a result of the amendments to grant the relief sought above G Metcalfe wishes to be heard in support of its submission. If others make a similar submission, G Metcalfe will consider presenting a joint case with them at the hearing.							
Maps: Te Kowhai 26.2, Hamilton Environs 26, Waipa River 25. Support in part Retain "Village" zoning of Lot 2 DP 456538 (CFR 590290) and Lot 3 DP 353526 (CFR 218750). Any consequential amendments to the extent of the Obstacle Limitation Surface in relation to submission on Appendix 9. The zoning of these properties for large lot residential development which would be enabled under the Village Zone is consistent with the Future Proof settlement pattern who specifically identifies Te Kowhai as a growth centre.							
Chapter 13 Definitions	Oppose	Include appropriate definitions of the following terms: Identified Area Boundary Adjustment Wastewater Treatment Plant General Aviation Recreational Flying Flight Training School Circuit Training Community scale wastewater system Wastewater treatment plant Real Estate Header Sign	These terms are not defined in the District Plan which leads to ambiguity and uncertainty.				

4.1.5 Policy - Density	Oppose	Amend as follows: c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided.	It is feasible that the development in the Village Zone including Lot 2 DP 456538 (CFR 590290) and Lot 3 DP 353526 (CFR 218750) could be serviced by reticulated services that are privately owned and managed (i.e. community scale). The policy should not be limited to only publicly owned infrastructure networks.
4.1.17 Policy – Te Kowhai	Opose	Amend as follows: a) The scale and density of residential development in Te Kowhai Village Zone achieves; i. Lower density (3000m² sections lots) where the development can be serviced by on-site non-reticulated wastewater, water and stormwater networks; or ii. Higher density (1000m² sections lots) where the development can be serviced by public reticulated wastewater, water and stormwater networks.	It is feasible that the development in the Village Zone including Lot 2 DP 456538 (CFR 590290) and Lot 3 DP 353526 (CFR 218750) could be serviced by reticulated services that are privately owned and managed (i.e. community scale). The policy should not be limiting to only publicly owned and managed infrastructure networks. "Sections" is not a term defined in the Plan and should be replaced with "Lots" which is a term that is defined.
Policy 4.3.2 Policy – Character	Oppose	Amend as follows: a) iii) Recognises lower levels of infrastructure and in some locations the absence of Council reticulated wastewater services.	Reticulated wastewater services are anticipated in the future for Te Kowhai and Tuakau.

Policy 9.2.1 Policies – Airpark standards	Support in part	Amend as follows: a) Manage adverse airpark effects though the application of general and airpark specific performance standards including: i) Noise; ii) Hazardous substances; iii) Minimum setback areas; iv) Subdivision allotment size v) Management Plan based on Fly Neighbourly principles vi) Hours of operation vii) Maximum aircraft movements	Consequential amendment from changes sought in relation to Rule 27.2.
14.3.1.8 P12 Service connections for subdivision	Oppose	Amend as follows: 2) Rule 14.3.1.8(I)(a) does not apply to any allotment that is serviced by a site-contained wastewater system in accordance with Rule 14.11.1.3; and Rule 14.3.1.8(I)(b) does not apply where reticulated water supply is unavailable. 3) Within all zones, except the Rural, Village and Country Living Zones, the water supply required under Rule 14.3.1.8(I)(b) must be adequate for fire fighting purposes.	In some situations water supply for an allotment will be from roof water harvesting or bore and will not be provided by a service connection at the boundary. Like the Rural and Country Living Zones, water supply in the Village Zone may not be pressurised.
14.11.1.3 P3 Wastewater servicing for new development or subdivision	Support	Retain (a)(ii) which allows for connections to community-scale wastewater systems.	To allow for a range of waste water solutions to be considered at the time of subdivision or development.

14.11.1.8(a) P8 Stormwater ponds or wetlands	Oppose	Delete 14.11.1.8(a)	Stormwater ponds and wetlands are not buildings and should not be subject to building coverage provisions.	
14.11.3 D2 Wastewater treatment plants	Oppose	Amend to insert "Village Zone".	A wastewater management plant may need to be established in the Village Zone to service proposed development. The activity status should be Discretionary.	
14.11.4 NC2 Wastewater treatment plants	Oppose	Delete (xxi) Village Zone.	A wastewater management plant may need to be established in the Village Zone to service proposed development. The activity status should be Discretionary.	
14.12.1.2 P2 Onsite parking and loading	Oppose	Amend 1 (i) as follows: On-site parking spaces and loading bays are not required on sites with sole frontages to the following	Corner sites in town centres should also be exempt from providing parking and loading as they benefit from on-street provision in the same way as other main street properties do.	
Table 14.12.5.14 Access and road conditions	Oppose	Amend the minimum access width for the Village and Residential Zones as follows: 1 to 4 lots = 3.6m 5 to 8 lots = 4.5m	The proposed access widths are excessive and will result in inefficient use of land.	
Table 14.12.5.7- Required parking spaces and loading bays	Support	Retain existing provisions for multi-unit development; and dwellings. Amend provision as follows: Retail – 1 space per 30m²-45m² GFA including indoor and outdoor retail area.	The notified parking requirements for multi-udevelopment and dwellings are appropriate. The provision for retail activities should be consistent with the Operative Waikato District Plan.	

16.1.2 Permitted Activities	Oppose	Amend to include "a new retirement village or alterations to an existing retirement village" as a permitted activity in the Village Zone and include appropriate standards in section 24.1.1 (1).	Retirement villages are an appropriate land use in the Village Zone.	
24.2.4.1 Earthworks – general	Oppose	Delete P1(a)(i), and P3(a)(iv)	Earthworks within 1.5m of a boundary are inevitable and even the most minor activities such as digging a posthole would trigger a requirement for resource consent.	
24.2.4.1 Earthworks – general	Oppose	Delete NC1	The importation of clean fill is provided for as a permitted activity by other rules (P2 and P3).	
24.3.3.2 Height - Buildings, structures or vegetation within an airport obstacle limitation surface	Oppose	Amend as follows: P1 – A building, structure or vegetation must not protrude through the airport obstacle limitation surface as identified in Appendix 9 – Te Kowhai Airpark and as shown on the planning maps. D1 – A building, structure or vegetation that does not comply with Rule 24.3.3.2 P1. OR: P1 - A building, structure or vegetation not already existing at 18 July 2018 must not protrude through the airport obstacle limitation surface as identified in Appendix 9 – Te Kowhai Airpark and as shown on the planning maps. AND: Any consequential amendments to 24.3.3.	Under the Operative Waikato District Plan (Rule 25.49c) only the height of buildings and structures is controlled in the OSL, not vegetation or trees. The property legally described as Lot 2 DP 456538 (CFR 590290) contains a large number of trees that will breach the proposed OSL and will benefit from existing use rights pursuant to s10 of the RMA. While consultation between the submitter and Te Kowhai Airpark is on-going, there is not yet an understanding or agreement as to how the existing tree infringements will be managed both now and in the future.	

24.3.5 Building Coverage	Oppose	Amend as follows: P1 On a lot connected to public reticulated wastewater and a water supply, the total building coverage must not exceed 40%. P2 On a lot not connected to public reticulated wastewater and a water supply, the total building coverage must not exceed 20%.	It is feasible that the development in the Village Zone including Lot 2 DP 456538 (CFR 590290) and Lot 3 DP 353526 (CFR 218750) could be serviced by reticulated services that are privately owned (i.e. community scale). The policy should not be limiting to only publicly owned infrastructure networks.
24.3.6.1 Building setbacks – all boundaries	Oppose	Delete P3	There are instances when it is appropriate to locate the garage forward of the front façade of the dwelling.
24.3.6.3 Building setback – water bodies	Oppose	Amend as follows: P1 (a) A building must be setback a minimum of 30m: i) from the margin of any: A Lake with a bed area of 8ha or more B Wetland with an area greater than 1ha; and C River bank other than the Waikato River and Waipa River whose bed has an average width 3m or more.	There needs to be parameters as to when this rule applies. Existing parameters from the Operative Waikato District Plan are sought.
24.3.6.7 Building – Airport Noise Outer Control Boundary	Oppose	Amend as follows: P1 Construction, addition or alteration of a dwelling within the Airport Noise Outer Control Boundary must achieve	This rule should only apply to dwellings located within the identified Airport Noise Outer Control Boundary.

24.4.2 Subdivision – Te Kowhai and Tuakau	Support in part	a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions i) Proposed lots not connected to public water and reticulated wastewater infrastructure must have a minimum net site area of 3000m², except where the proposed lot is an access allotment, utility allotment or reserve lot. Amend RD2 as follows: a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions i) Proposed lots connected to public water and reticulated wastewater infrastructure must have a minimum net site area of 1000m², except where the proposed lot is an access allotment, utility allotment or reserve lot.	It is feasible that the development in the Village Zone including Lot 2 DP 456538 (CFR 590290) and Lot 3 DP 353526 (CFR 218750) could be serviced by reticulated services that are privately owned (i.e. community scale). The provision should not be limiting to only publicly owned infrastructure networks.
24.4.4 Subdivision – Amendments to cross lease and flats plans and conversions	Oppose	Amend as follows: C2 (a) Amendment or update to a cross lease flats plan including additions or alterations to any buildings and any areas for exclusive use by an owner or owners.	A change to an exclusive use area is not deemed to be a subdivision under s218 of the RMA and is not able to be controlled by Council as it is a private covenant.

24.4.9 Road Frontage	Oppose	Amend RD1 as follows: a) Every proposed lot must have at least 20m frontage to a road boundary, except where the proposed lot is an access allotment, utility allotment or a right of way or access leg is provided.	Improve wording.
24.4.10 Subdivision – Building Platform	Oppose	Amend RD1 as follows: a) Every proposed lot, other than <u>a new lot</u> <u>specifically for access, utility allotment & access allotment an access allotment, utility allotment or reserve allotment, must be capable of containing a building platform</u>	Improve wording and include reserve allotments.
27.1.1 Activity Status Table	Oppose	Amend to include the following activities: Flight training school - NC in all Precincts Circuit training - NC in all Precincts (NB - these terms will need to be defined).	Pilot training associated with a flight training school based at Te Kowhai Airpark or by a school based at another airfield that uses Te Kowhai Airpark as a de facto training runway could be expected to lead to increases in nose, and neighbour irritation/anxiety.
27.2 Land Use – Effects	Oppose	Insert appropriate standards applicable to "general aviation" and "recreational flying" activities to ensure they are carried out in accordance with "Fly Neighbourly" principles which avoid adverse impacts on neighbours. The standards should include but not be limited to: A requirement to adhere to an "Airpark Management Plan" which is prepared in consultation with neighbours and the	Adherence to "fly neighbourly" principles will ensure that the operation of aircraft occurs in such a manner that recognises the issues of operating that aircraft in and around noisesensitive areas. A proactive approach should be taken to aircraft operations by managing both the types of, and repetitive nature of, aircraft noise. Further reading can be found in the NZ Aviation Industry Association Environmental Code of

		 Te Kowhai community. Stipulate hours of operation to limit night flying. Stipulate a maximum number of aircraft movements being 21,000 per annum. 	Practice and the Helicopter Association International (HAI) "Fly Neighbourly Guide".
27.2.6 Noise – Other than Taxiways	Support in part	Amend P1 as follows: a) Noise from any activity in PRECINCT B must not exceed the following noise limits when measures at the notional boundary of a site within the Rural Zone or Village Zone Amend P2 as follows:	The Village Zone is located near the Airpark and should be included in the noise rule.
		b) Noise from any activity in PRECINCTS C OR D must not exceed the following noise limits when measures at the notional boundary of a site within the Rural Zone or Village Zone outside of the Te Kowhai Airpark Zone	
27.2.7 Noise – Taxiways	Support in part	Amend P1 as follows: a) ii) When measured at the notional boundary of any other site in the Rural Zone or Village Zone	The Village Zone is located near the Airpark and should be included in the noise rule.
Appendix 9: Te Kowhai Airfield	Oppose	Amend to retain the existing Obstacle Limitation Surfaces from the Operative District Plan which satisfies the requirements set out in the CAA Advisory Circular AC139-7 section 3.2 Day VFR Runway.	Lot 2 DP 456538 (CFR 590290) is impacted by the proposal to lower the OSL to satisfy the requirements set out in CAA Advisory Circular AC139-7 section 3.3 Night or instrument approach runway.
			The impacts relate to a reduction of potential building height (i.e. an area where the OSL is lower than the zone 7.5m height limit); and to a

			large number of existing trees which breach the proposed OSL but are not currently subject to any height limitation and benefit from existing use rights pursuant to s10 of the RMA.
			While consultation between the submitter and Te Kowhai Airpark is on-going, there is not yet an understanding or agreement as to how these infringements will be managed both now and in the future.
18.1.2 Permitted Activities	Oppose	Amend the activity-specific conditions for P2 Residential activity as follows: Located above ground floor level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring, or service court	Ancillary residential activities on the ground floor are inevitable and should not require resource consent as a non-complying activity.
18.1.3 Restricted Discretionary Activities	Oppose	Amend RD1 b) as follows: The multi-unit development must be located above the ground floor level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring, or service court.	Ancillary residential activities on the ground floor are inevitable and should not require resource consent as a non-complying activity.

18.1.3 Restricted Discretionary Activities	Oppose	Amend RD1 e) as follows: A communal service court is provided comprising A. a minimum area of 20m²; and B. a minimum dimension of 3m; Or alternatively a private service court is provided for each residential unit comprising: A. a minimum area of 10m²; and B. a minimum dimension of 2.5m.	There are no standards for service courts. These should be added for clarity.
18.1.3 Restricted Discretionary Activities	Oppose	Amend RD1c) as follows: The floor area of any unit or apartment in a Multi-Unit Development must comply with the following: Unit or Apartment Minimum Floor Area Studio unit 35m² 1 bedroom unit 45m² 2 bedroom unit 70m² 3 or more bedroom unit 90m² A detailed site plan depicting the proposed title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule 18.4.2 (subdivision of multi-unit developments).	Currently the area requirements for multi-unit developments are contained under subdivision rules. These should be within the land use section. The unit floor areas being proposed in the relief are consistent with those in Hamilton City.

18.1.3 Restricted Discretionary Activities	, , , , , , , , , , , , , , , , , , , ,		g minimum	The living court areas being proposed in the relief are consistent with those in Hamilton City.	
		Residential unit	Minimum area	Minimum dimension	
		Studio unit or 1 bedroom	10m2	2m	
		2 or more bedroom	15m2 <u>12m²</u>	2m	
		<u>Communal</u> <u>living court</u>	<u>10m² per unit</u>	<u>2m</u>	
18.1.5 Non-Complying activities	Oppose	Amend NC2 as follows: Residential activity on the ground floor exclusive of any lobby, stairwell, lift, vehicle access, parking, manoeuvring, or service court.			Ancillary residential activities on the ground floor is inevitable and should not require resource consent as a non-complying activity
18.1.5 Non-Complying activities	Oppose	Amend NC3 as follows: A multi-unit development located on the ground floor exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring, or service court.			Ancillary residential activities on the ground floor is inevitable and should not require resource consent as a non-complying activity
18.2.8 Outdoor storage	Oppose	Amend P1 a) iii) as follows: Be associated with the activity operating from the site.			Correct a wording error.

18.3.4 Display windows and building facades	Oppose	a) any new building façade adjoining a road boundary, or alteration to an existing façade adjoining a road boundary, must comply with the following conditions: i) Not be set back from the road boundary at ground floor level; and ii) Provide display windows comprising at least 50% of the building façade at ground floor level.	The display window interface is only relevant to facades facing a road boundary and at ground floor level only.
18.3.8 Dwelling	Oppose	Amend PC1 (a) (i) The dwelling must not be located at ground floor level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring, or service court.	Ancillary residential activities on the ground floor is inevitable and should not require resource consent as a non-complying activity
18.3.9 Living court	Oppose	Amend P1 a) iii) as follows It is located on a balcony containing at least 10m² and with a minimum dimension of 2m. 15m² and a circle with a diameter of at least 2.4m.	For consistency with standards for multi-unit development.
18.4.1 Subdivision - general	Oppose	Amend RD1 a) as follows: i) Proposed lots shall have a minimum size of 225m2 net site area, with the exception of access or utility allotments, or reserves to vest, or a Unit Title subdivision of existing lawfully established buildings.	Rule 18.3.3 anticipates small tenancies in the Town Centre Zone. Individual tenancies should be able to be held in Unit Title tenure.

18.4.2 Subdivision – Multi-unit subdivision	Oppose	Amend RD1 a) i) as follows: a) An application for land use consent must accompany the subdivision application or have already been granted resource consent by Council. The subdivision (including boundaries for each residential unit and any common areas including access and services) shall be in accordance with the land use consent. And delete RD1 a) iii)	Unit sizes should be established through the land use consent process. A subdivision should be in accordance with the approved land use.
Chapter 13 Definitions	Oppose	Amend to include definition of real estate sign A real estate sign advertising a property or business for sale, for lease, for rent or by any other such method. Amend to include an appropriate definition for: Header Real Estate Sign	Real estate signs are not currently defined in the PDP and real estate signs can include more than just for sale as included in the current rule. An appropriate definition for a Header real estate sign is also requested. An example of when a header sign is used: a rear site property on a private lane requires a header sign erected on another property at the start of the private land to indicate the property for sale is down the lane.

Signs - General 16.2.7 Residential Zone 17.2.7 Business Zone 18.2.7 Business Town Centre Zone 19.2.6 Business Tamahere Zone 20.2.7 Industrial Zone 21.2.7 Heavy Industrial Zone 22.2.6 Rural Zone 23.2.6 Country Living Zone 24.2.7 Village Zone 26.2.11 Hampton Downs Motorsport and Recreation Zone 27.2.12 Te Kowhai Airpark Zone 28.2.6 Rangatahi Peninsula Zone	Oppose	Amend real estate sign rules as follows: P3 (a) Any real estate 'for sale' sign relating to the site on which it is located must comply with all of the following conditions: (i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates; (ii) There is no more than 1 sign measuring 1800mm x 1200 per site to which the sign relates; (iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site; (iv) The sign is not illuminated; (v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;	The proposed real estate sign rules are too restrictive. Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity. Allowance should be made for feature signs which are commonly used for properties going to Auction or Tender. Allowance should be made for a header sign to be established on another site (often on a high volume road) to point purchasers to the site which is for sale (often on a low volume road).
·		(v)The sign does not contain any moving parts, fluorescent, flashing or revolving lights or	