Waikato DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato

RMA Form 5

Proposed Waikato District Plan
Submission form

ECM Project: DPRPh5-03
ECM # ....
Submission # ....
Customer # ....
Property # ....

To submit electronically please go to: **www.waikatodistrict.govt.nz/pdp**

Closing date for submissions: 5pm on Tuesday 9 October 2018

Submitter details: *(please note that the (*) are required fields and must be completed)*

First name*: Philip	Last name*: Lang
Organisation: barrister	
On behalf of: Neil and Linda forritt	
Postal address*: 256 Hooker Road	
Suburb: RD3	Town/City*: Hamilton
Country: NZ	Postal code*: 3283
Daytime phone:	Mobile: 0272241114
Email address:* pukeroro@xtra.co.NZ and p.lang@xtra.co.NZ	

Please tick your preferred method of contact*

☑ Email   ☐ Postal

Correspondence to*

☐ Submitter ☐ Agent ☑ Both

Trade competition and adverse effects:*

☐ I could   ☑ I could not

gain an advantage in trade competition through this submission.

Note:
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part I of Schedule I of the Resource Management Act 1991.

Would you like to present your submission in person at a hearing?

☑ Yes

☐ I do NOT wish to speak in support of my submission and ask that this submission be fully considered.

If others make a similar submission I will consider presenting a joint case with them at the hearing (do not tick if you would not consider a joint case).

☑ Yes   ☐ No

Please complete the following for every submission point:

Provision number (e.g. 22.4.1.2 P2(a)): Rules 22.4.1.5 and 22.4.1.7

Physical address of the property concerned (if relevant to your submission):

Do you:

☐ Support ☑ Oppose ☐ Neutral   Oppose in part
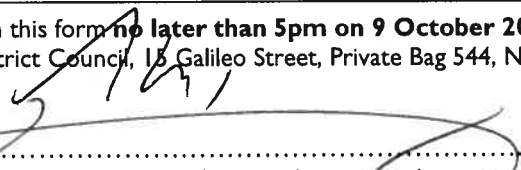

The decision I would like is: See attached pages

My reasons for the above are: See attached pages

Please return this form no later than **5pm on 9 October 2018** to:
Waikato District Council, 15 Galileo Street, Private Bag 544, Ngaruawahia 3742, or e-mail: districtplan@waidc.govt.nz

Signed: .... Date: 9 October 2018
(A signature is not required if you make your submission by electronic means)

P. Lang as agent for N & L Porritt

PRIVACY ACT NOTE: Please note that all information provided in your submission will be used to progress the process for this proposed district plan, and may be made publicly available.

Rule 22.4.1.5

The decision I would like is: DELETE PROPOSED RULE 22.4.1.5 AND SUBSTITUTE THE FOLLOWING:

22.4.1.5 Rural Hamlet Subdivision

RD1	(a)Subdivision to create a Rural Hamlet must comply with all of the following conditions: (i)It results in 3 to 6 proposed lots being clustered together; (ii)All existing Records of Title form one continuous landholding; (iii)Each proposed lot has a minimum area of 5,000m². (iv)Each proposed lot has a maximum area of 1.6ha; (v)The proposed balance lot has a minimum area of 20ha; and (vi)It does not create any additional lots beyond the number of existing Records of Title. (b)Council's discretion is restricted to the following matters: (i)subdivision layout and design including dimension, shape and orientation of the proposed lots; (ii)effects on rural character and amenity values; (iii)effects on landscape values; (iv)potential for reverse sensitivity effects; (v)extent of earthworks including earthworks for the location of building platforms and access ways.
D1	Rural Hamlet Subdivision that does not comply with Rule 22.4.1.5 RD1, conditions (a)(ii)-(vi)
NC1	Rural Hamlet Subdivision that does not comply with Rule 22.4.1.5 RD1, condition (a)(i).

MY REASONS FOR THE ABOVE ARE:

1. Proposed Rule 22.4.1.5 will serve the relevant objectives and policies of the plan better if the conditions for Restricted Discretionary subdivision are more versatile in terms of the maximum number of clustered lots and the minimum lot size. (conditions (a)(i) and (iii))

2. The Rule will operate more effectively if a subdivision that does not comply with conditions RD1 (a) (ii)-(vi) is considered as a Discretionary activity.

Rule 22.4.1.7

The decision I would like is: DELETE PROPOSED RULE 22.4.1.7 AND SUBSTITUTE THE FOLLOWING :

22.4.1.7 Subdivision to create a reserve

RD I	(a)Subdivision to create a reserve must comply with all of the following conditions:
	   (i)The lot being subdivided must contain an area that is identified in a Waikato District Council strategy document as being required for permanent public access or for reserve purposes;
	   (ii)The area identified in the strategy document as being required for permanent public access or for reserve purposes is to be vested in Council or public access is permanently secured by way of an easement;
	   (iii)No more than one additional lot is created from each lot being subdivided, excluding any land vested in Council.
	   (iv)The proposed additional lot, excluding the reserve, has a minimum size of 5,000m².
	(b)Council's discretion is restricted to the following matters:
	   (i)Size and location of area for which public access or reserve is secured;
	   (ii)Method of securing public access;
	   (iii)Management of any land remaining in private ownership over which access rights are granted;
	   (iv)Location of additional lot.

D I	A reserve lot subdivision that does not comply with Rule 22.4.1.7 RD I, conditions (a)(ii)-(iv)
NC I	A reserve lot subdivision that does not comply with Rule 22.4.1.7 RD I, condition(a)(i)

MY REASONS FOR THE ABOVE ARE: Proposed Rule 22.4.1.7 is too narrow in its application.

In particular:

1. The Reserve Lot Subdivision provisions should apply to all areas that are identified in any Waikato District Council strategy documents as being required for permanent public access or reserve purposes, not just areas identified in the Parks Strategy; ((a)(i))

2. The Reserve Lot Subdivision provisions should apply where land access is to be secured by way of an easement, not only where it is to be vested in Council; ((a)(ii))

3. It should be clear that one additional Lot can be created from each Lot being subdivided; ((a)(iii))

4. The minimum lot size for consideration as a RD activity should be 5,000m2, not 8000m2; ((a)(iv))

5. Reserve Lot Subdivision not complying with conditions (a) (ii)-(iv) should be considered as a discretionary activity, not as a non-complying activity.