

3rd February 2020



Proposed Waikato District Plan Hearing Panel
Waikato District Council
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Dear Commissioners,

PROPOSED WAIKATO DISTRICT PLAN

Hearing 10 –Residential Zone – Submitter Evidence: The Surveying Company Limited #746

The purpose of this letter is to express our position to recommendations made in the Hearing 10: Residential Zone Section 42A Report (s42A).

The Surveying Company (TSC) made submissions relating to the Residential Zone. We are not proposing to present evidence at the hearing on the points that are outlined below however we do wish to continue to express our opinion on the recommendations made in the section 42A report.

Recommendations supported

We support the recommendations of the s42A which accept the matters raised in our submission. We also provide specific comment in relation to the following submission points.

Submission Point	s42A Recommendation
746.45 TSC requested to amend Rule 16.4.1(a)(i) Subdivision – General to allow for infill subdivision at a minimum net site area of 350m ² .	Accepted in part– The s42A (paragraph 228) has recommended the introduction of a new RD2 rule to make it clear that subdivision that does not comply with the 450m ² minimum net site area remains a restricted discretionary activity (rather than reverting to a discretionary activity status as originally proposed). This recommended change has followed through in the tracked changes to Rule 16.4.1 shown in Appendix 3: Chapter 16: Residential Zone of the s42A and is supported.
746.29 TSC requested to amend Rule 16.1.3(c) and (e) to reduce the minimum net site area for multi-unit development to 250m ² and increase building coverage to 60%.	The s42A has recommended removal of the minimum 300m ² net site area per residential unit and the maximum 50% building coverage as conditions for multi-unit development. This has followed through in the tracked changes to Rule 16.1.3 shown in Appendix 3: Chapter 16: Residential Zone of the s42A. The removal of the minimum net site area and building coverage conditions are supported on the understanding that the restricted discretionary activity status provides flexibility to consider these matters on a site by site basis.

Recommendations not supported

We do not support the recommendations of the s42A which reject the matters raised in our submission. In addition to the reasons given in our submission for the changes sought, we provide the following comments in relation to particular submission points.

Submission Point	s42A Recommendation
746.35 TSC requested to amend Rule 16.1.2 Permitted Activities to include multi-unit development of up to three dwellings.	<p>The s42A has recommended a restricted discretionary status for up to two dwellings within a site (rather than a discretionary status as originally proposed). While this is an improvement of the rule, TSC still consider that the relevant development standards of the District Plan provide sufficient control to address the potential effects of up to three dwellings on a site as a permitted activity.</p> <p>The development standards of the District Plan are specifically designed to maintain (amongst other things) daylight admission, privacy and outlook of properties and ensure an adequate quality living environment in the Residential Zone. Compliance with these standards signals that the development is of an appropriate scale for the site, thereby ensuring that the amenity of the area will not be compromised.</p> <p>Due to the limited scale of such development, the establishment of up to three dwellings on a site which complies with the relevant standards should <u>not</u> require further assessment in terms of design guidance and the resource consent process, especially in relation to infill development where an existing dwelling already exists on the site. If a development standard is not met, this would trigger a resource consent which would ensure an assessment of the effects of the development.</p> <p>The Franklin Section of the Waikato District Plan provides for up to three dwellings on a residential site as a Permitted Activity subject to compliance with the performance standards. In addition, the Mixed Housing Suburban Zone of the Auckland Unitary Plan (which provide for vacant lot subdivision of 400m²) provides for up to three dwellings per site as a Permitted Activity subject to compliance with development controls. These zones are comparable to the Residential Zone of the Proposed Waikato District Plan.</p>

	<p>TSC supports good urban design and quality outcomes, and it is our view that for up to three dwellings on a site, this will be achieved through the development standards. It will also be achieved without the additional costs and delays as a result of needing to obtain resource consent.</p> <p>If the Hearing Commissioners do not accept our amendment, TSC request that the provision of at least two dwellings per site be provided for as a Permitted Activity for the same reasons given above, noting that multi-unit development (of three or more units) as recommended in the s42A is a restricted discretionary activity.</p>
<p>746.36 TSC requested to amend Rule 16.3.2 Minor Dwelling to reduce the net site area to 600m².</p>	<p>The s42A has recommended retaining the 900m² net site area as it would allow increased housing options and efficient use of the residential land resource whilst not undermining the overall density (one house per 450m²).</p> <p>It is our view that a net site area of 600m² would enable greater capacity and more flexibility in the supply of housing (dwellings and minor dwellings). Furthermore, the s42A has recommended new Rule 16.4.1 RD2 which would apply to subdivisions that do not comply with the 450m² minimum net site area (as discussed in submission point 746.45 above). As there is now no distinction in activity status for lots created over or under 450m², the s42A reference to not wanting to undermine the overall density of one house per 450m² appears irrelevant. It is clear from Rule 16.4.1 RD2 that lots smaller than 450m² are anticipated by the Plan. A 900m² net site area is also not necessary given the 70m² gross floor area limitation for a minor dwelling.</p>
<p>746.50 TSC requested to amend Rule 16.4.3(a)(ii) Subdivision – Te Kauwhata West Residential Area to reduce the minimum average net site area to 700m².</p>	<p>The s42A has recommended retaining the 875m² minimum average net site area. In relation to our amendment to reduce this to 700m², the Reporting Officer has stated that: <i>this is a substantial reduction in the average net site area, which may make it difficult to discretely locate a dwelling and maintain the existing village character, as per the intention of the Te Kauwhata Structure Plan [696].</i></p> <p>It is unclear as to why the Te Kauwhata Structure Plan has been used as justification to reject our request. While elements of the Te Kauwhata Structure Plan have been carried over into the</p>

	<p>Proposed Plan, the Te Kauwhata Structure Plan does not exist within the Proposed Plan. The proposed policies specific to Te Kauwhata in 4.1.12 and 4.7.13 do not seek to maintain the existing village character. The zone is a residential zone and therefore the outcome sought by proposed policy 4.2.1 is to maintain residential character. If the Te Kauwhata West Area was to have a village character, the provisions for this area would be best located under the Village Zone provisions. Upon review of the Proposed Plan objectives and policies relevant to the Te Kauwhata, there is no policy which seeks to maintain a village character for the Residential - Te Kauwhata West Area. It is our view that there is no valid justification to refuse the submission point for the reasoning stated by the Reporting Officer in the s42A Report.</p> <p>In addition, Policy 4.1.5 seeks a “<i>minimum density of 12 -15 households per hectare in the Residential Zone</i>”. The average minimum net lot size sought by the Proposed Plan will achieve a density of 11 households per hectare, without accommodating for land lost to roading, access, reserves and infrastructure. Excluding land to be used for roading, access, reserves and infrastructure, the density in the Te Kauwhata West Residential Area will decrease below 8 dwellings hectare. It is our view that the reduction in minimum average net lot size as requested will result in a more efficient use of the land resource by meeting the minimum density anticipated within the residential zone.</p>
<p>746.51 TSC requested to delete Rule 16.4.13(a) Subdivision creating reserves and making this a matter for discretion.</p>	<p>The s42A has recommended retaining this rule and has referred to the purpose of the rule in relation to the creation of parks. Further to the points raised in our submission, there are other types of reserves such as stormwater reserves which this rule would affect. In the case of stormwater reserves, it is impractical and unnecessary to have 50% of such a reserve bordered by roads.</p> <p>For the creation of ‘parks’, the Residential Subdivision Guidelines (Appendix 3.1) specially refer to open space frontage (i.e generally, at least 50% of the edges to be surrounded by streets). In our view, this provides sufficient control and will ensure that adequate consideration is given to this aspect as part of the matters of discretion for subdivision.</p>

Hearing Appearance

TSC request this letter to be tabled at the hearing in support of its submission points and the section 42A report recommendations as outlined above.

If you have any queries on the above matters, please contact Leigh Shaw, Planning Manager on (09) 238 9991 or via email leigh@subdivision.co.nz

Kind regards,

A handwritten signature in blue ink, appearing to read 'Shaw', is positioned above the typed name.

Leigh Shaw
The Surveying Company Ltd
Planning Manager