



Horotiu Properties Limited – Submitter #397



Highlights Package – Horotiu Properties Ltd

- To rezone the land legally described as Lot 5 DP 513666 (7.5ha) owned by Horotiu Properties Limited (HPL) from Rural to Village
- To seek amendments to proposed land use and subdivision provisions in the Village Zone
- Dr Joan Forret – Counsel for the submitter
- Mr Andrew Wood – MNZPI, planning expert
- Mr Andy Johnson – CPEng, wastewater expert
- Ms Andrea Simpson – HPL
- HPL comments are in response to s42A report, including rebuttal evidence

HPL – Land Use Provisions

Submission Point	s42A Recommendation	HPL response
Delete rule 24.2.4.1 P1(a)(i) Earthworks – General	Rejected because minor earthworks can be excluded if the NPS definition for earthworks is adopted.	We agree with the recommendation in the rebuttal to adopt the National Planning Standard definition for earthworks.

- Still multiple triggers for resource consent e.g. dwellings 1.5m from a boundary
- Reference to bunds generally relates to larger scale earthworks, many earthworks at a dwelling scale don't require bunds (e.g. silt fence) and setbacks

HPL – Land Use Provisions

Submission Point	s42A Recommendation	HPL response
FS1286.13 Russell Grey's submission – Amend 24.3.5 P2 to reduce the building coverage from 20% to 15%	Rejected Russell Grey's submission.	We agree that building coverage should remain at 20% and that stormwater can be effectively managed through rules within the Plan.

HPL – Land Use Provisions

Submission Point	s42A Recommendation	HPL response
Rule 24.3.5 – Building coverage	Council rebuttal evidence accepts argument on building coverage link to reticulated rather than public wastewater	Support recommendation for “public” to be removed from wording

- The s42A position has changed in the rebuttal evidence, which we support as it resolves the concern raised in the HPL submission
- This is a process to ensure the district plan provisions are accurate and reasonable. The need for inherent consistency should not be the reason to adopt rules that are unnecessary or unjustified.
- The ownership of a reticulated service should not be relevant to building coverage.

HPL – Land Use Provisions

Submission Point	s42A Recommendation	HPL response
Rule 24.3.6.1 – Building setbacks	Rejected, but agrees that there can be instances where it is appropriate to have the garage located in front of the front façade.	Suggest alternative wording in alignment with Hamilton Operative District Plan Rule 4.8.3

- Relief sought is to amend rule to enable some instances for garages in front of the front façade.
- HCC ODP Rule 4.8.3 - *The front wall of all accessory buildings that are detached, including carports and garages, should be no further forward of the front building line of the dwelling than 0.5m.*

HPL – Land Use Provisions

Submission Point	s42A Recommendation	HPL response
Rule 24.3.6.3 – Building setbacks - waterbodies	Rejected	The current wording places unjust setback requirements from private, onsite and often artificial ponds/waterbodies

- Relief sought is to retain wording in Operative District Plan.
- The ODP wording had setbacks appropriate to the type and scale of the waterbody, commensurate with ensuring esplanade provisions are maintained, i.e. specifies the setbacks according to the level of protection appropriate.
- *Note: Rule 24.3.6.3 requires a 30 setback and does not give a unit of measurement.*

HPL – Subdivision Provisions

Submission Point	s42A Recommendation	HPL response
Policy 4.3.3 Rule 24.4.2	Rejected as no public reticulation is planned. Rebuttal evidence seeks to resolve.	The current wording is exclusive to the notified village zone areas only and do not contemplate any additional areas in the District.

- Relief sought is to enable public or private infrastructure solutions in the Village Zone, and not restricted to Tuakau and Te Kowhai.
- Relief sought as outlined in the rebuttal evidence is accepted re substituting *reticulated* for *public*. The rule should apply equally to all parts of Village zone.