

BEFORE THE WAIKATO DISTRICT COUNCIL INDEPENDENT HEARING PANEL

IN THE MATTER of Proposed Variation 3, under clause 16A of Schedule 1 of the Resource Management Act 1991, to the Proposed District Plan Change

AND

IN THE MATTER of submissions by Pokeno West, West Pokeno, CSL Trust and Top End Properties Limited, at Munro and Helenslee Roads, Pokeno (the **Submitters**)

**To: The Hearings Co-ordinator
Waikato District Council**

**PRIMARY PLANNING EVIDENCE OF JAMES GILBERT OAKLEY FOR THE
SUBMITTERS**

6 July 2023

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TABLE OF CONTENTS

1. INTRODUCTION	3
2. QUALIFICATIONS AND EXPERIENCE	4
3. PURPOSE AND SCOPE OF EVIDENCE	5
4. OVERVIEW OF SUBMISSIONS	6
5. BACKGROUND	7
6. STATUTORY FRAMEWORK	11
7. RESPONSE TO s42A REPORT – AMENDMENTS	13
8. SUBDIVISION PROVISIONS	14
9. LAND USE PROVISIONS	24
10. OTHER MATTERS	27
11. COUNCIL EXPERT EVIDENCE	28
12. IMPACT OF VARIATION 3 ON SUBMITTERS LAND	30
13. CONCLUSION	31
APPENDIX A – Submitter Amendments to MRZ2 Provisions	32
APPENDIX B – Submitter Amendments to MRZ2 Subdivision Provisions	33

MAY IT PLEASE THE PANEL

1. INTRODUCTION

1.1 My full name is James Gilbert Oakley. I am a senior planner at Birch Surveyors Limited (trading as Birch Land Development Consultants) (“Birch”).

1.2 I have been engaged by Pokeno West Limited (“**PWL**”), West Pokeno Limited (“**WPL**”) (collectively submission #116 and further submission #224), CSL Trust (“**CSL**”) (submission #82 and further submission #223) and Top End Properties Limited (“**Top End**”) (further submission #222) (the “**Submitters**”). The Submitters have engaged me to provide evidence in support of its primary and further submissions on Waikato District Council’s (“**WDC**”) Intensification Planning Instrument (“**IPi**”) notified as Variation 3 Enabling Housing Supply (“**V3**”) to the Proposed Waikato District Plan (“**PWDP**”).

1.3 The key points addressed in my evidence are:

- a) The statutory framework that V3 is subject to.
- b) Proposed amendments to the plan provisions for land use and subdivision.
- c) Stormwater management and natural hazards.
- d) Canvassing the impacts of V3 on the future development of the Submitters land.

2. QUALIFICATIONS AND EXPERIENCE

- 2.1 I have a Bachelor of Arts degree and a Masters of Urban Planning & Urban Design (Hons) degree both obtained from the University of Auckland. I am an Intermediate Member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
- 2.2 My relevant professional experience spans over five years whereby I have been involved in many consenting and policy projects across the central North Island but primarily in the Auckland and Waikato regions.
- 2.3 I have been involved in the PWDP review process for the Submitters since the notification of the plan in July 2018 which has also involved the preparation of submissions and evidence.
- 2.4 My experience that is relevant to V3 includes:
- a) Involvement in the PWDP review process for various landowners from primary submissions to preparing evidence for hearings.
 - b) Private Plan Change 74 in Auckland for the rezoning of land to residential and light industry in Pukekohe.
 - c) Preparing submissions and/or evidence for other Plan Changes in Auckland (Plan Change 20 – Rural Activity Status, Plan Change 5 – Whenuapai Plan Change).
- 2.5 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

3. PURPOSE AND SCOPE OF EVIDENCE

3.1 The broad purpose of my evidence is three-fold:

- a) To address the s42A report (Version 2) prepared by Ms Fiona Hill, Ms Karin Lepoutre and Ms Bessie Clarke (the “**reporting planner/s**”);
- b) To address the primary evidence of the experts called by WDC; and
- c) To canvass the potential impact of V3 on the Submitters land with reference to the other experts preparing evidence on behalf of the Submitters.

3.2 In preparing my own evidence I have considered the s32 evaluation for V3, the s42A report (and addendum report) and the primary evidence of the WDC experts, notably that of Ms Katja Huls who prepared evidence on planning and three waters infrastructure.

3.3 I have also considered evidence prepared by the following experts on behalf of the Submitters (as listed below):

- a) Mr Jignesh Patel (engineering);
- b) Mr Adam Thompson (economics and property markets); and
- c) Mr Leo Hills (transport).

3.4 Regarding areas of agreement with s42A report, these are listed below to identify matters which are not addressed any further in this evidence:

- a) The identification of Pokeno as an urban environment requiring the application of the MDRS to the relevant residential zones as per para. 96.
- b) The recommendation in para. 302 that no changes are made to MRZ2-S1 – MRZ2-S9 as requested in various submissions.

- c) The Submitters sought the inclusion of subdivision provisions consistent with dwellings utilising the MDRS. This relief was sought as a subset of an overall package seeking to apply the MDRS to the GRZ (in the qualifying settlements) on the basis that the urban fringe (“**UF**”) qualifying matter (“**QM**”) was to remain (although this was opposed). As UF qualifying matter QM is now to be removed and the MRZ2 applied across the district, submission points in this regard are not pertinent which is addressed by the reporting planner in para. 320.
- d) The recommendation in paras. 373-375 that the additional provisions proposed by Waka Kotahi and Waikato Regional Council relating to climate change and greenhouse gas emissions not be included.
- e) The recommendations in para. 592 that the UF be removed as a QM and that the MRZ2 be extended to all relevant residential zones.
- f) The recommendation in para. 627 that no additional QMs be included, specifically regarding the character of Pokeno.
- g) The recommendation in para. 685 that no additional QMs are included in relation to infrastructure capacity.
- h) The recommendation in para. 729 that no changes are made in relation to submitters expressing general opposition to V3.

4. OVERVIEW OF SUBMISSIONS

- 4.1 The Submitters support the intent of V3 in giving effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (“**Amendment Act**”). To this end, primary and further submissions were lodged by the Submitters.

- 4.2 The overarching thrust of the primary submissions is to request:
- a) The removal of the UF QM as unlawful due to being contrary to the strict legal requirements for QMs; and
 - b) The application of the Medium Density Residential Standards (“**MDRS**”) to all land in the UF (subject to the application of legitimate QMs). This was sought to be implemented through a new amended General Residential Zone (“**GRZ**”) or other similar mechanism.
- 4.3 The further submissions broadly focused on:
- a) Opposing submissions seeking to include matters/provisions in V3 that are outside of the scope of IPIs; and
 - b) Opposing submissions seeking to retain the UF QM, and supporting submissions seeking to properly implement the MDRS as required by the Amendment Act.

5. **BACKGROUND**

- 5.1 Collectively the Submitters comprise some of the major landowners in Pokeno with large holdings in the area commonly referred in its totality as “Pokeno West” or “West Pokeno”. This is the land west of Helenslee Road and east of Ridge Road. The Submitters land amounts to some 237ha, 192ha of which is identified in the PWDP Appeals Version (“**PWDP-AV**”) as GRZ and thus is subject to V3 as a relevant residential zone.
- 5.2 For the avoidance of doubt, there are a number of sites zoned GRZ in this area that are not owned by the Submitters. This land amounts to some 16ha and has been included in the previous development scoping and technical reporting.

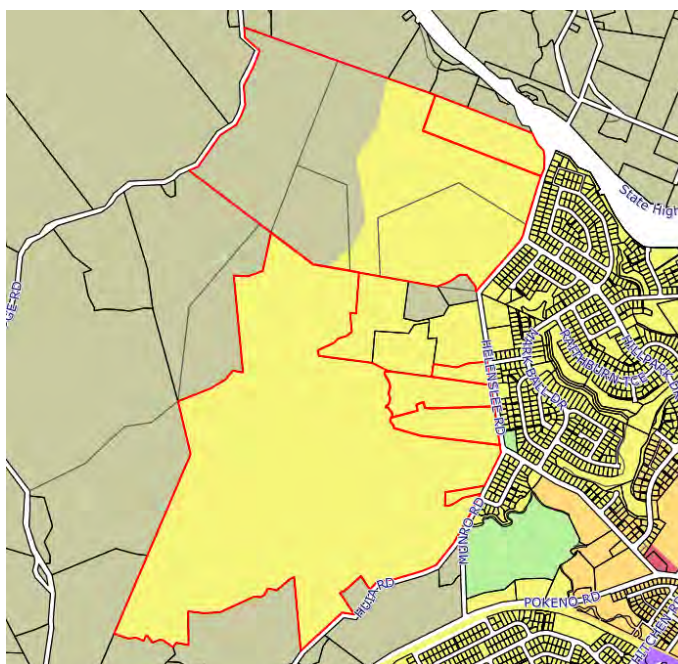


Figure 1: Zoning map showing the Submitters land (in red) and the areas identified as GRZ (yellow hatch) in the PWDP Appeals Version. (Source: IntraMaps)

- 5.3 The Submitters land has been the subject of extensive masterplanning and technical rigour as part of the PWDP review process which has been ongoing since before 2018. The Submitters have engaged a team of consultants whom have undertaken extensive work to address the suitability of rezoning of the land from rural to urban for future residential development. This land is considered to form a natural extension of the existing urban area in Pokeno as it is contiguous. Regarding development yields, these were estimated as 1790 residential units in total for the submitters land (1377 for the PWL/WPL land and 413 for the CSL and Top End land).
- 5.4 Overall, whilst there are new potential growth areas in Pokeno, the image below shows how development in the western side of Pokeno logically rounds out the settlement. The image also shows the volume of development that has occurred to date since the structure plan for Pokeno was finalised in 2010.

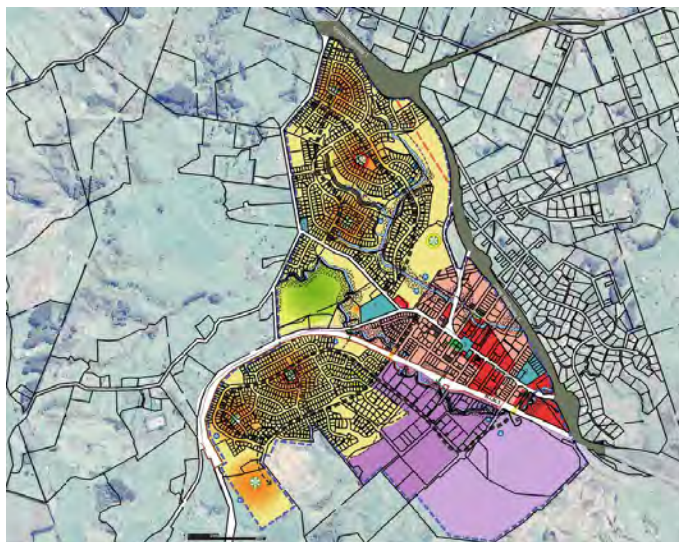


Figure 2: Pokeno Structure Plan overlaid on underlying lot boundaries (as at March, 2021). (Source: Pokeno Structure Plan)

- 5.5 As part of the relief sought through the PWDP review process, the Submitters also identified areas on their land where Medium Density Residential zoning (**MRZ**) was considered appropriate. The MRZ was not present in the notified PWDP but was instead introduced as part of the primary submission from Kāinga Ora and gradually refined over time.
- 5.6 The proposal for accommodating MRZ was driven by the identification of indicative open space amenity areas and neighbourhood centres on the Submitters land. Small centres to provide for the day-to-day convenience of residents is considered logical given the large size of the surrounding area. This would not detract from the primary Town Centre Zone and Commercial Zone in Pokeno as the main areas for business/retail/commerce.



Figure 3: Relief sought for CSL Trust/Top End as part of PWDP review process at the time of the rezoning hearing. The orange hatch denotes MRZ and the blue hatch denotes an indicative neighbourhood centre. (Source: Birch)

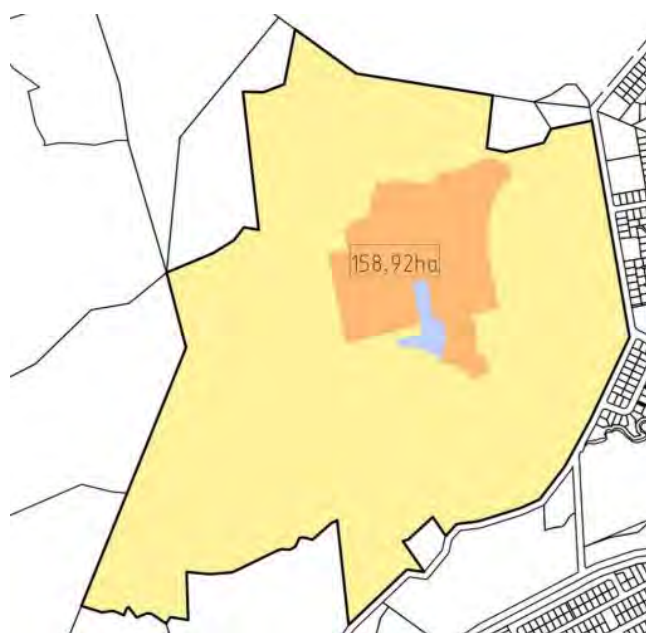


Figure 4: Relief sought for PWL/WPL as part of PWDP review process at the time of the rezoning hearing. The orange hatch denotes MRZ and the blue hatch denotes an indicative neighbourhood centre. (Source: Birch)

5.7 Ultimately, the development potential afforded to the Submitters land are yet to be resolved as the relief sought in this regard was not accepted. Notwithstanding this, the reporting planner for the Pokeno rezoning hearing generally supported the outcomes the submitters are seeking in relation to medium density development.

- 5.8 Furthermore, in terms of the PWDP appeals process, at this stage, there is limited to no opposition to the rezoning of this land from rural to residential. This signals that the urbanisation and development of this land is generally acceptable and the discussion is not on “if” the land should be urbanised, but on “how” it should be urbanised.
- 5.9 Whilst the implementation of the MDRS by V3 is a significant change to consider, the anticipated future development of the Submitters land has previously contemplated outcomes comparable to those enabled by the MDRS in specific areas. As such, it is integral that appropriate provisions are in place that enable development to occur and recognise the different circumstances in which it may occur such as greenfield areas vs brownfield areas.

6. STATUTORY FRAMEWORK

National Policy Statement on Urban Development 2020

- 6.1 The National Policy Statement on Urban Development 2020 (“**NPS-UD**”) is summarised in Section 3.2 of the s42A report. I agree with the summary provided by the reporting planner but note the emphasis of the NPS-UD on matters such as: providing a well-functioning urban environment, creating additional development capacity, improving housing affordability/competitive markets, and the changing environment in which New Zealanders live, and being responsive to that.
- 6.2 In terms of the impact of V3 on achieving the matters above and the intent of the NPS-UD as a whole, it is considered that the submitters land is fundamental to this not just in Pokeno (which is a key growth node) but also district-wide.

Amendment Act

- 6.3 The Amendment Act is the driving force behind enabling greater intensification in Tier 1 Territorial Authorities. This is primarily achieved through the application of the MDRS which enables more permissive development and by giving effect to the NPS-UD.

Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for the Waikato River

- 6.4 The status of Te Ture Whaimana O Te Awa o Waikato - The Vision and Strategy for Waikato River (“**Te Ture Whaimana**”) and the significant statutory weight afforded to it generally, but also a QM under s77I is acknowledged and not disputed.
- 6.5 Of paramount importance to V3 and its impact throughout the district is giving the required weight towards both Te Ture Whaimana and the NPS-UD. In my opinion, giving effect to Te Ture Whaimana and the NPS-UD are not mutually exclusive, and care should be taken to not overly restrict development under the intention of giving effect to Te Ture Whaimana.
- 6.6 It is also important to keep in perspective the change from GRZ to MRZ2, within the totality of the catchments of the Waikato, regarding the adverse water quality/flow effects of V3, compared to other activities such as primary production.

Waikato Regional Policy Statement

- 6.7 Para. 48 of the s42A report describes the required weighting to be afforded to the Waikato Regional Policy Statement (**WRPS**) and Proposed Plan Change 1. I agree with the reporting planner’s summary.
- 6.8 Of note to V3 and submitters land are the proposed new net target densities for the Future Proof area. For Pokeno this is identified as 20-25 dwellings

per hectare for greenfield locations which is acknowledged in para. 51 of the report.

- 6.9 This is a significant increase from the previous density target under UFD-P12 (Density targets for Future Proof Area) of 8-10 households per hectare for greenfield development in the Waikato District rural villages where sewerage is reticulated. The implementation of the MDRS will greatly assist in achieving the revised target.

7. RESPONSE TO s42A REPORT – AMENDMENTS

- 7.1 Appendix 2 (Amendment text) to the s42A report is addressed in the sections below. Directly addressing Appendix 2 is considered the most appropriate approach given both the s42A report from the reporting planners and the s32AA evaluation prepared by Ms Katja Huls both contain recommended amendments to the various provisions.
- 7.2 Appendix 2 is the location where all of recommended amendments to the provisions are contained. Reference is made to the core s42A report and s32AA evaluation as appropriate. **Appendix A** and **Appendix B** contained select provisions within the MRZ2 and SUB chapter which have been track-changed.
- 7.3 It is acknowledged that some of the proposed amendments from the reporting planners/Ms Huls are subject to change as a result of the upcoming expert conferencing session on stormwater on the 11th July.

8. SUBDIVISION PROVISIONS

8.1 Minimum Vacant Lot Size

8.2 The submitters did not make a submission covering this subject matter as new restrictions on minimum lot size for vacant lots were not present in the notified V3.

8.3 However, in paras. 109-113 of the s42A report there is commentary around proposed vacant lot size requirements in the notified V3 and the reporting planner seeking that these be retained as 200m² for MRZ2 land and 450m² for land that was previously subject to the UF QM but is now sought to be upzoned to MRZ2.

8.4 Specifically in para. 110, the reporting planner notes that *“In its notified variation the Council decided that there should be a vacant minimum lot size requirement and applied 200m² in the existing medium density zone and 450m² in the urban fringe qualifying matter area”*.

8.5 As such, in the case of land that was previously subject to the UF QM, the reporting planner recommends in paras. 119-120 that a new mechanism be created called the Minimum Lot Size Restriction Area (“**MLSR Area**”) to restrict new vacant lots to 450m² despite the underlying zone now being MRZ2. The MLSR Area is an entirely new mechanism to V3 that in my opinion is not justified.

8.6 The reporting planner appears to suggest that the identification of a minimum vacant lot size requirement for land in the UF QM in V3 was a conscious decision made by Council in the variation. That does not appear to be the case. In my opinion, the decision to include UF QM and its subsequent impact was solely limiting the implementation of the MDRS and excluding land beyond the 800m catchment.

- 8.7 The reporting planner mentions in para. 109 that *“the IPI needs to give effect to Policy 3(d) of the NPS-UD and there is discretion to include some matters, such as a minimum vacant lot size on”*. Policy 3(d) reads:

“In relation to tier 1 urban environments, regional policy statements and district plans enable: within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services”.

- 8.8 This is an enabling policy and there is no suggestion that growth/development in other parts of the environment (not within or adjacent to the identified centre zones or equivalents) prevents giving effect to this policy as is suggested by the reporting planner.
- 8.9 Regarding centres, it is noted that the GRZ provides for a Neighbourhood Centre (as per GRZ-R7) as a Permitted Activity. The comments by the reporting planner do not recognise that this activity pathway also gives effect to the intentions of Policy 3(d) albeit the policy referencing zones (or equivalent).
- 8.10 In the case of greenfield development, the provision of higher density residential development is an entirely justifiable and warranted outcome around certain features e.g. neighbourhood centres/key open spaces where activity is encouraged. As previously outlined, the development of the submitters land to generate medium density outcomes around neighbourhood centres has been contemplated from the initial development concept/PDP relief and is currently sought.
- 8.11 In addition, SUB-R153 relating to subdivision in the MRZ2 provides for as a matter of discretion in (h) *“Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres”*. As such, it is clear that there is flexibility in the approach to the provision of neighbourhood centres which lends itself to

providing for higher density outcomes around these areas and in turn, giving effect to Policy 3(d).

- 8.12 The reporting planner in para. 112 considers that a 200m² vacant lot size does not promote a well-functioning urban environment. In the case of the submitters land, it is considered that the future development, including such lot sizes, can create a well-functioning urban environment.
- 8.13 A lower vacant lot size minimum enables more diversified housing choice, allows for additional supply to be provided and assists with achieving the density targets in the WRPS. Whilst the submitters land is not within the identified 800m walkable catchment from the town centre, it is not inherently inaccessible. This is especially the case as multi-modal transport options will be promoted including electric bikes.
- 8.14 The ability to provide higher density residential outcomes in select locations is sought and considered appropriate. This is a pathway that should be inherently enabled. The s42A proposal is an inefficient and blunt instrument with the UF QM virtually implemented through the MLSR Area creating two minimum lot size requirements in the same zone.
- 8.15 Para. 121 mentions a s32AA is “*not considered necessary as there is no change from the notified variation*” which is incorrect as the subdivision rules in the MRZ2 (as notified) did not include the MLSR Area or equivalent mechanism.
- 8.16 The inclusion of the MLSR Area is not a small amendment that can be included without justification. I consider what the reporting planner has provided is insufficient in this regard and note that if the MLSR Area was present in the notified V3 that this would have garnered attention from the Submitters and many others.
- 8.17 In the case of the future development of the Submitters land, it is anticipated that a wide range of lot typologies will be provided to the market. For future

neighbourhood centres and key amenity areas such as open space, the provision of a more intensive development around these areas is logical and this has been previously identified on the concept masterplans. Flexibility is necessary to provide different housing choices/typologies to meet diverse needs and the MLSR Area does not support achieving this.

- 8.18 In summary, I disagree with the recommendation in para. 119 and para. 120. The imposition of the MLSR Area is unjustified and has no place in V3 given there is no association with the MDRS. Furthermore, there are no proposed provisions (objectives and policies) in the subdivision chapter (or elsewhere) which support its inclusion nor is there any evaluation of the MLSR Area.
- 8.19 Ultimately, the imposition of the MLSR Area is not an appropriate planning provision because it essentially recreates the UF QM that has already been established as being unlawful. The MLSR Area is also considered contrary to the key higher order documents which seek to enable further development to occur.
- 8.20 The NPS-UD is clear in its directives requiring the provision of development capacity to be enabled. It is my opinion that the proposed MLSR Area will not contribute towards giving effect to the NPS-UD. This is evidenced with reference to key provisions of the NPS below:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

- 8.21 It is considered that a well-functioning urban environment can be created. The catchment from centres is not the only defining characteristic of a well-functioning urban environment.

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

8.22 Referring to the evidence of Mr Thompson, he highlights the importance of multiple landholdings enabled for development so that there are different suppliers of lots to the market to provide competition. I concur with this conclusion.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- a) *have or enable a variety of homes that:*
 - (i) *meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) *enable Māori to express their cultural traditions and norms; and*
- b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- e) *support reductions in greenhouse gas emissions; and*
- f) *are resilient to the likely current and future effects of climate change.*

8.23 The removal of the MLSR Area will enable development on the Submitters greenfield land that can achieve the above matters.

8.24 Policy 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.* I note the conclusions in the evidence of Mr Thompson that V3 does not meet the requirements of the NPS-UD in this regard. I concur with this conclusion.

8.25 The Amendment Act was developed to stimulate the provision of housing by increasing the volume of supply at-haste. This is abundantly clear in the full

title of the Amendment Act. The proposed MLSR Area will not support the intent of the Act as area inappropriately constrains development on land based on the 800m walking catchment which has already been established as unlawful.

8.26 Fundamental to the Amendment Act and the NPS-UD is enabling residential development that can respond to the various market demands (and in turn be more affordable) and the MLSRA seeks to maintain the status quo of the GRZ requirements which will not support this.

8.27 It is my planning opinion that the MLSRA needs to be removed to best give effect to the NPS-UD and Amendment Act.

8.28 **Stormwater and Flooding Constraints Overlay – Subdivision**

8.29 As part of her evidence, Ms Huls is recommending the creation of a new overlay dubbed the Stormwater and Flooding Constraints Overlay (“**SFC Overlay**”). This overlay captures the 1% AEP (+ climate change) floodplain data modelled by Te Miro Water (“**TMW**”) for maximum probable development in the district.

8.30 While I agree with the inclusion of provisions to manage significant risks from natural hazards in accordance with s6(h) of the Act, I disagree with the SFC Overlay mechanism as proposed.

8.31 The extent of the SFC Overlay for Pokeno is identified overleaf. It is evident that the Submitters land is the most potentially affected by the overlay in how it can be developed. While the overlay is present in other locations such as in Pokeno south, it is sporadic and primarily contained in the established Pokeno Village in existing open space areas or across previously developed lots.

8.32 Given the dynamic nature of hydrological information and the potential for change/inaccuracy over time I consider it is more effective if this information is contained within the Council GIS database and not in the District Plan as

a statutory layer. This way, the data can be regularly updated without the need for a statutory Plan Change process.

- 8.33 This is a more efficient process that allows for Council to recognise changes that occur through new information and to update the maps accordingly. This approach is implemented in Auckland whereby various hydrological features (e.g. floodplains) are mapped and referenced in the District Plan despite not being included in the plan as a mapped element.
- 8.34 For the Submitters greenfield land there is the opportunity to approach development and the management of stormwater in a comprehensive manner across the entire catchment. As Mr Patel has outlined in his Stormwater Evidence, new development provides the opportunity to undertake comprehensive, integrated and large scale management of stormwater, in terms of both flow and quality.
- 8.35 If the SFC Overlay is embedded in the District Plan through V3 it is anticipated that the mapped areas could be made redundant at the time of future development and site works, even though the specific characteristics may have changed and engineering solutions are available to avoid, remedy and mitigate. As such, it is considered that data such as that from TMW should not be locked into the plan. **Appendix A** and **B** provide track-changed versions of select land use and subdivision provisions which remove the reference to the SFC Overlay to replace it with “1% AEP floodplain”. This is a responsive and performance-based approach. Mapping the floodplains in the Council GIS outside of the District Plan under this (or another appropriate title) would avoid the issues above. With regards to identifying different levels of risk (or other scenarios), this could be done with additional layers in GIS.
- 8.36 Furthermore, the TMW data represents the maximum probable development scenario. I do not dispute or critique the rationale behind this standard broad approach but note that given the specific topography/natural features of the Submitters land it is unlikely to realise the optimal probable development

scenario with this approach. There is an important role for finer grained engineering analysis at the time of actual physical development, when the concept is known, that can be compromised by rigid planning provisions. This could lead to the inefficient use of valuable and scarce urban land resources.

- 8.37 Despite the proposed introduction of the SFC Overlay, it is noted that the presence of floodplain areas on the site has been previously recognised in the masterplanning of this land and the supporting technical assessments. As such, the extent of the SFC Overlay largely falls within areas identified indicatively for open space and there is scope for targeted redesign of the concept where development is no longer suitable.

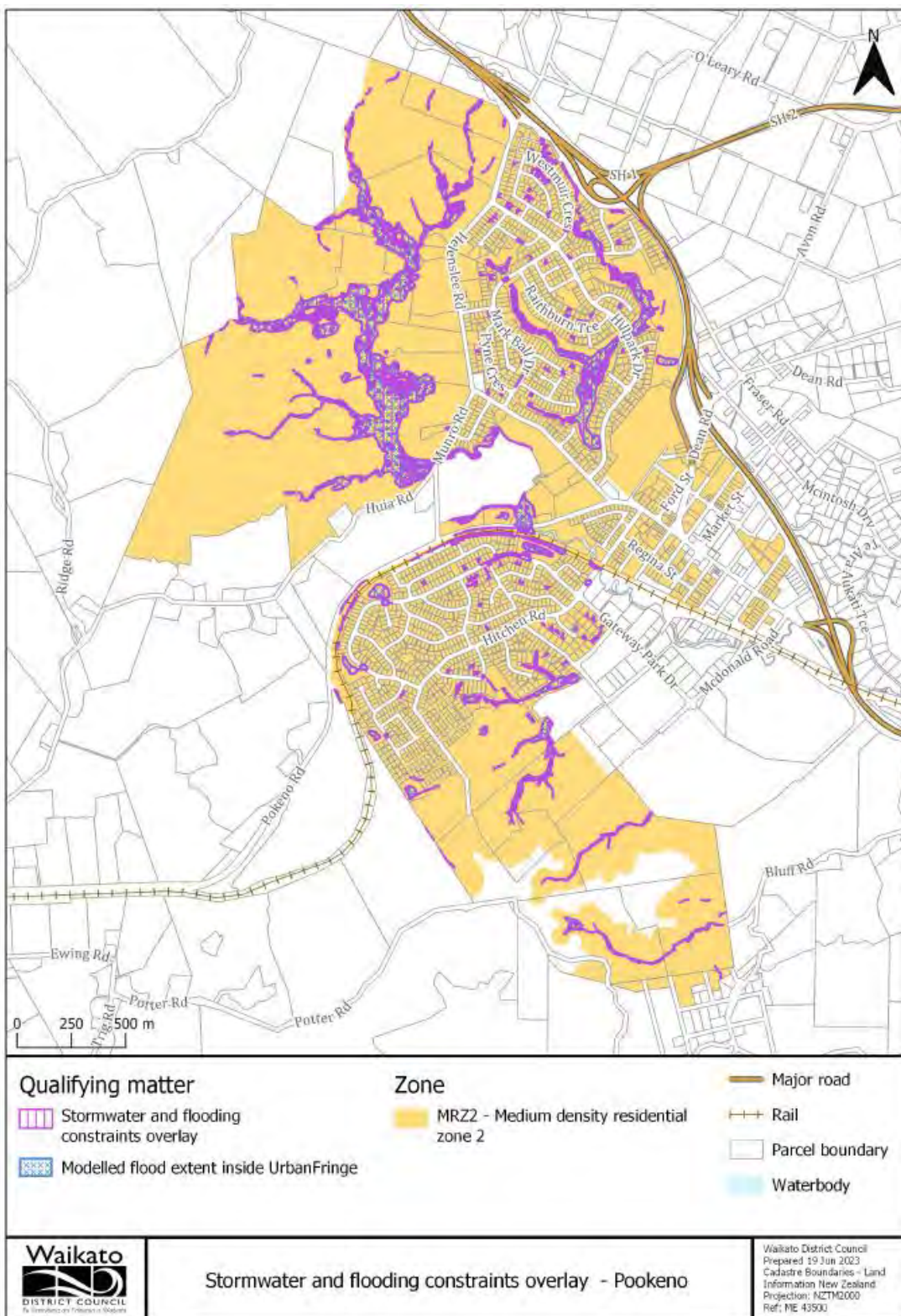


Figure 5: Proposed Stormwater and Flooding Constraints Overlay for Pokeno. (Source: Evidence in chief of Ms Katja Huls)

- 8.38 The SFC Overlay has wide-ranging implications, but for subdivision activities it is proposed to impose a minimum area requirement of 450m² for MRZ2 land within the overlay.
- 8.39 In the case of greenfield development, the imposition of an increased minimum lot size does not consider that stormwater is managed holistically across a large area. In this instance, the Submitters land comprises the entirety of the western flank of Pokeno and stormwater would be managed comprehensively with the risk mitigated at the development stage.
- 8.40 In this regard I note the concerns regarding infilling in floodplains. However, in a large-scale development such as that possible on the Submitters land, there is the opportunity to manage this catchment-wide. Management of the floodplains by way of offsetting (retaining the channel of watercourses but providing capacity elsewhere) is a potential option.
- 8.41 If the minimum vacant lot size requirement is not removed, it is considered that a more appropriate approach to flooding risk at the subdivision level is to require a building platform/shape factor to be shown on every proposed vacant lot. This approach could require that the identified platform be clear of the floodplain extent. It is noted that the requirement for a building platform/shape factor exists for the GRZ in the PWDP.
- 8.42 A key benefit of the building platform approach is that vacant lots that are only partially encroached upon by floodplains are not required to have the enlarged underlying lot area. This will result in a more efficient use of land and require a more detailed design in identifying future building areas for lots clear of floodplains.
- 8.43 The various SFC Overlay plans show floodplain areas of varying shapes and sizes and the proposed approach imposes the blanket area restriction that doesn't address situations where development can safely occur on the lot away from the floodplain or scenarios where large greenfield development is proposed and stormwater can be managed comprehensively.

- 8.44 Mr Boldero also points out that there are significant challenges managing the effects of stormwater in intensification redevelopment areas, and Mr Patel concurs. Therefore, while the Council approach is to try and restrict the intensity of development to within 800m of the town centre, for the reasons provided in the evidence of Ms Fairgray, there are significant servicing and stormwater constraints and costs, to try and retrofit for infill development.
- 8.45 It is noted that SUB-R153 already has reference to providing practical building platforms as a matter of discretion in (c) *Ability of lots to accommodate a practical building platform including geotechnical stability for building*. However, this does not preclude the requirement to apply the proposed minimum area when partially within a floodplain.

9. LAND USE PROVISIONS

9.1 Residential units

- 9.2 Changes are proposed by Ms Huls to MRZ2-S1 (Residential unit) which is the fundamental activity regarding the number of residential units allowed on a site. Amendments are sought that restrict the level of development on sites in the SFC Overlay based on the level of flood risk.
- 9.3 Where there is a medium risk, a primary residential unit and minor residential unit are Permitted subject to the underlying site having a net site area of 600m² or more.
- 9.4 Where there is a high risk, this is captured under the new MRZ2-S1A (Residential unit) whereby more than two residential units per site is a Non-Complying Activity.
- 9.5 For development in the floodplains where there is a medium risk, the provision allowing for a minor residential unit does not align with the subdivision provisions. As the provision for a minor residential unit is tied to

a minimum lot area. This approach is problematic as it essentially requires the consideration of which lots are better enabled for a minor residential unit in the future than others at the subdivision stage. This comparison is shown below:

- a) SUB-R153: Requires new vacant sites within the Stormwater Constraints Overlay to have a minimum site size of 450m².
- b) MRZ2-S1: Restricts sites within the Stormwater Constraints Overlay – Medium Risk to one residential unit and one minor residential unit requiring a minimum site size of 600m².

- 9.6 A management approach to development in high-flood-risk areas is supported. Activity status sends a clear signal about development in vulnerable areas involving multiple residential units on a single lot. However, the data in the SFC Overlay should not be a statutory layer in the District Plan but a responsive GIS layer that is publicly available. Track-changes in **Appendix A** and **B** show amendments which capture my proposed amendment which is based on flood return periods.
- 9.7 In support of the above, if there is a risk factor that is inter-related with the planning provisions, there needs to be clearer mapping on the varying risk levels in the SFC Overlay as the maps appended to the evidence of Ms Huls and provided above for Pokeno, do not explicitly differentiate between these. Again, this data should and can be provided separate to the District Plan provisions and maps.
- 9.8 A number of new matters of discretion are proposed to be included under MRZ2-S1. Regarding (i) and the reference to location of sites within the catchment of the Waikato River (“*Where located within the catchment of the Waikato River...*”) this part is considered redundant as the reporting planner notes in para. 389 of the report that the all four towns subject to V3 are located within the Waikato River catchment. It is considered that this part should be removed.

9.9 **Building setbacks – waterbodies**

9.10 The submitters did not make a submission addressing Te Ture Whaimana specifically as at the time of notification there were no specific provisions relating to it as a QM. Notwithstanding this, the reporting planner recommends amendments under this sub-topic which relate to Te Ture Whaimana and thus are considered appropriate to comment on.

9.11 In Appendix 2 it is recommend that additional matters of discretion under MRZ2-S13 (Building setbacks – water bodies). The same change as sought to MRZ2-S1 regarding the reference to the Waikato River catchment above is applicable to this standard and is proposed to be deleted as per **Appendix A**.

9.12 **Other MRZ2 Standards**

9.13 The following standards: setbacks (MRZ2-S4), building coverage (MRZ2-S5) and impervious surfaces (MRZ2-S10) are proposed to be amended for land within floodplains.

9.14 Technical changes are proposed to the setbacks and building coverage requirements to make these more restrictive and the same set of matters of discretion as below are generally sought to be added to each standard with the exception of MRZ2-S10 which already has a matter of discretion covering flooding effects.

9.15 Regarding increasing the building setback requirements and reducing the maximum building coverage for land in floodplains, these changes are not supported and are recommended to be deleted. The changes are justified in the s32AA evaluation as below:

“Reduced building (MRZ2-S4) setbacks may make it difficult to manage overland flow paths and flood plains due a lack of space on the site and increase adverse effects associated with flooding and erosion.”

“Increased building coverage (MRZ2-S5) may reduce flood plain storage and increase adverse effects associated with flooding.”

- 9.16 I do not dispute that there is a relationship between building setbacks/coverage and flooding effects. However, I consider this relationship is weaker compared to the impact of impervious surfaces (MRZ2-S10) and setbacks from waterbodies (MRZ2-S13).
- 9.17 The proposed changes unnecessarily restrict development outcomes without addressing the core issue. In the case of increasing yard setbacks and reducing the maximum building coverage from 50% to 40%, it is unclear how this reduction positively impacts flooding and giving effect to Te Ture Whaimana when the maximum impervious area remains unchanged at 70%.
- 9.18 There is also no consideration of residential units built with foundations that allow for the conveyance of water and/or are built above the flood levels.
- 9.19 It is considered that the original standards be applied and these standards be deleted as shown in **Appendix B**.

10. OTHER MATTERS

10.1 s42A Topic 4: Accommodating Growth

- 10.2 The Submitters did not make any submissions on the sub-topic 7.1 (Application of Policy 3(d)). Notwithstanding this, there are relevant comments made that warrant being addressed. In para. 662 the reporting planner refers back to recommendations under Topic 1 regarding the retention of a larger minimum lot size for new MRZ2 land that was previously in the UF QM. This recommendation is made on the understanding that it will encourage higher densities closer to the centres.
- 10.3 Regarding sub-topic 7.2 (infrastructure capacity), the Submitters made further submissions in relation to the Noakes submission on matters primarily relating to the management of stormwater effects which have been

addressed throughout. For water supply and wastewater, this has been previously discussed as part of the expert conferencing session which experts for the submitter attended.

- 10.4 In terms of the Noakes submission and proposed changes to stormwater provisions, I understand from the evidence of Mr Patel that it is not viable to manage stormwater in a manner that cover all of the matters raised (volume, duration etc.). The urban development of any vacant greenfield area will inevitably increase the amount of impervious area. The management of stormwater for the submitters land will entail a bespoke catchment-wide approach tailored to determine how best to manage these new flows.
- 10.5 I also note from the evidence of Mr Boldero, that the Catchment Management Plan requires a reduction in flood flows from the Pokeno West land to 70% of current levels post development. This is to help mitigate the existing flooding risk to downstream properties including the Pokeno town centre. It is understood that this performance standard is accepted by the Submitters even though this is arguably a “public benefit” and will add further costs to the development.
- 10.6 The key point is that the stormwater risks that the Noakes submission raises are intended to improved overall by the development of the Pokeno West land (refer to the evidence of Mr Patel).

11. COUNCIL EXPERT EVIDENCE

- 11.1 The evidence of Ms Huls is addressed throughout this statement and does not require detailed comment.
- 11.2 In addressing matters raised by Mr Keith Martin (Infrastructure overview), Mr Mat Telfer (Watercare) and Mr Andrew Boldero (Stormwater and flooding) I defer to the evidence of Mr Patel. However, I note the following on the evidence of Mr Boldero:

- a) I agree with para. 15 that development in floodplains can potentially be developed with applications supported by robust information.
- b) I support the reference in para. 25(b) to building coverage that the increase in effects is dependent on location.
- c) Regarding para. 55 and other amendments to stormwater provisions, the strict requirements of the contents of IPIs is reiterated.
- d) I agree with para. 60 that the flood hazard maps should be regularly updated without a plan change process. I note Mr Patel is agreeable to this as well.

11.3 In addressing matters raised by Ms Fairgray, I defer to the evidence of Mr Thompson. However, the following is noted:

- a) I agree with para. 25 that Pokeno is expected to significantly grow in the future. This is consistent with the economic reporting prepared previously.
- b) I note the comment in para. 76 relating to the limited amenity of the existing centres, such as that in Pokeno to support higher density development. As mentioned throughout this statement, the Submitters land provides the opportunity to accommodate targeted high quality development that does not detract from the existing centre but supports it. It can provide a complementary centre that is resilient because it avoids the risks of climate change, including flooding, and will help futureproof business and community services for Pokeno.

12. IMPACT OF VARIATION 3 ON SUBMITTERS LAND

12.1 The general effects of V3 on the submitters land are summarised below. The statements made rely on the evidence prepared by other experts:

- a) Economic evidence has been prepared by Mr Thompson which concludes that sufficient development capacity has not been provided in the district. Fundamental to the provision of capacity is the distinction between what is plan-enabled vs commercially feasible vs reasonably expected to be realised. In the case of the latter, no such assessment has been provided by the Council which undermines assertions made about there being sufficient capacity.
- b) Overall Mr Thompson concludes that the development of the Submitters land would generate significant economic benefits and meet the requirements of the NPS-UD. In particular, the relief sought (MRZ2 across the entire Submitter sites) will enable the provision of more housing, in the high need/demand affordable price range, that will otherwise be limited in the Pokeno township.
- c) Transport evidence has been prepared by Mr Hills which provides a high-level review of the impact of V3 on the development of the land compared to the previous assessments undertaken. Mr Hills notes the potential for increased vehicle movements as a result of increased yield. However, factors such as improved public transport services, the increased uptake of remote working and the lower rate of vehicle movements associated with higher density typologies, can reduce the overall vehicle movements.
- d) Mr Patel has provided 3 Waters evidence and concludes that notwithstanding the additional density/number of houses we are seeking with the MRZ2 zoning, across the entire site, adequate servicing can be provided.

13. CONCLUSION

- 13.1 Overall, the submissions from the Submitters are intended to ensure that the District Plan and amendments made by Variation 3 are appropriate and do not unduly constrain development from occurring whilst balancing the requirement to afford varying levels of weighting to the statutory framework components.
- 13.2 The Submitters are some of the largest landholders in Pokeno and have the opportunity to develop their greenfield land in a way that can transform the environment and provide significant additional residential supply for future growth that can:
- a) positively contribute to providing a variety of lifestyle options/residential typologies;
 - b) improve the land development market in Pokeno as the historic bulk development of the settlement has been primarily driven by a single entity; and
 - c) improve housing affordability.
- 13.3 In my opinion, the relief sought will improve the implementation of Variation 3 in a way that does not unduly constrain development higher order documents including the NPS-UD, WRPS and the Future Proof strategy.

James Gilbert Oakley

6 July 2023

APPENDIX A – Submitter Amendments to MRZ2 Provisions

APPENDIX A - MRZ2 - Medium density residential zone 2

Pokeno West/CSL/Top End – Draft Proposed Changes 5 July 2023

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

The provisions in this chapter are based on the provisions of the MRZ – Medium density residential zone of the proposed Waikato District Plan.

Standard text is used for existing provisions contained in the proposed Waikato District Plan.

Green underline text is used for new provisions.

~~Black Strikethrough~~ is used to show the deletion of existing provisions.

The provisions in this chapter incorporate the density standards in Part 2 of Schedule 3A of the Resource Management Act 1991 (the Act) and the objectives and policies in Clause 3 of Schedule 3A of the Act. In accordance with Section 80H of the Act these provisions are shown shaded grey.

s42A changes relating to new QMs and/or in response to the submissions are in **red**
Submitters (Pokeno West/CSL/Top End) amendments are in **blue**

Land use

MRZ2-SI	Residential unit
<p>(1) Activity status: PER Where:</p> <p>(a) The site is outside the 1% AEP floodplains Stormwater Constraints and Flood Hazard Overlay and the QM for 585 I Great South Road <u>Up to three residential units per site.</u></p> <p>(b) The site is within the Stormwater Constraints Overlay 1% AEP floodplains - Medium Risk one residential unit per site, and one minor dwelling residential unit per site provided that the minor residential unit contained within a site must comply with all of the following standards:</p> <p>(i) <u>The net site area is 600m² or more; and</u></p> <p>(ii) <u>The gross floor area shall not exceed 70m²</u></p> <p>(c) <u>Within the QM for 585 I Great South Road 1 residential unit per site</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Intensity of the development; and</p> <p>(b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</p> <p>(c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</p> <p>(d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</p> <p>(e) Provision of 3-waters infrastructure to individual units; and</p> <p>(f) The provision of adequate waste and recycling bin storage including the</p>

	<p>management of amenity effects of these on streets or public open spaces; and</p> <p>(g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</p> <p>(h) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy</u></p> <p>(i) <u>Where located within the catchment of the Waikato River the extent to which the application enhances or benefits the Waikato River and its tributaries</u></p> <p>(j) <u>Flooding effects including safe access and egress</u></p> <p>(k) <u>Stormwater Management and Low Impact Design methods</u></p> <p>(l) <u>Within QM 585 I Great South Road effects on the values associated with the SASM</u></p> <p>Notification <u>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will be considered without public or limited notification.</u></p>								
MRZ2-S1A	Residential unit								
<p>(1) Activity status: NC</p> <p>Where:</p> <p>(a) <u>The site is within 1% AEP floodplains the Stormwater Constraints Overlay – High Risk Area; and</u></p> <p>(b) <u>There are more than two residential units per site</u></p>									
MRZ2-S4	Setbacks								
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>The site is outside of the Flood Hazards Overlay and outside of the Stormwater Constraints Overlay Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="207 1787 762 1966"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td><u>Front</u></td> <td><u>1.5m</u></td> </tr> <tr> <td><u>Side</u></td> <td><u>1m</u></td> </tr> <tr> <td><u>Rear</u></td> <td><u>1m (excluded on corner sites)</u></td> </tr> </tbody> </table>		Yard	Minimum depth	<u>Front</u>	<u>1.5m</u>	<u>Side</u>	<u>1m</u>	<u>Rear</u>	<u>1m (excluded on corner sites)</u>
Yard	Minimum depth								
<u>Front</u>	<u>1.5m</u>								
<u>Side</u>	<u>1m</u>								
<u>Rear</u>	<u>1m (excluded on corner sites)</u>								
<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Road network safety and efficiency;</p> <p>(b) Potential to mitigate adverse effects on the streetscape through use of other design features;</p> <p>(c) Daylight admission to adjoining properties; and</p> <p>(d) Privacy overlooking on adjoining sites; and</p> <p>(e) <u>The visual dominance effects on adjoining sites.</u></p>									

<p>(b) <u>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>(c) <u>The site is within the Stormwater Constraints Overlay and within the Flood Hazards Overlay buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="209 618 762 792"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>3m</td> </tr> <tr> <td>Side</td> <td>1.5m</td> </tr> <tr> <td>Rear</td> <td>1.5m (excluded on corner sites)</td> </tr> </tbody> </table> <p>(d)(c) <u>The finished external walls (excluding eaves) of a building must be set back a minimum of:</u></p> <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); 	Yard	Minimum depth	Front	3m	Side	1.5m	Rear	1.5m (excluded on corner sites)	<p>(f) <u>Flooding effects including safe access and egress</u></p> <p>(g) <u>Stormwater Management and the use of Low Impact Design methods</u></p> <p>(h) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u></p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S4 will be considered without public notification.</u></p> <p>Advice note <u>Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</u></p>
Yard	Minimum depth								
Front	3m								
Side	1.5m								
Rear	1.5m (excluded on corner sites)								
<p>MRZ2-S5 Building coverage</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Except in the Tuurangawaewae Marae surrounds QM and in the Stormwater Constraints Overlay and Flood Hazards Overlay the maximum building coverage must not exceed 50% of the net site area.</u></p> <p>(b) <u>The site is within the Tuurangawaewae Marae surrounds QM the maximum building coverage must not exceed 45% of the net site area.</u></p> <p>(c) <u>The site is within the Stormwater Constraints Overlay or the Flood Hazards Overlay the building coverage must not exceed 40% of the net site area.</u></p> <p>(d)(c) <u>MRZ2-S6S5(1)(a) does not apply:</u></p> <ul style="list-style-type: none"> (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design, scale and location of the building; (b) Provision for outdoor living space and service courts; and (c) Effects on the planned urban built character <u>and any qualifying matter on</u> of the surrounding residential area; and (d) <u>The visual dominance effects on adjoining sites;</u> (e) <u>In addition, within the Tuurangawaewae Marae surrounds QM: The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga</u> (f) <u>Flooding effects including safe access and egress</u> (g) <u>Stormwater Management and the use of Low Impact Design methods</u> (h)(f) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u> 							
<p>MRZ2-S10 Impervious surfaces</p>									

<p>(1) Activity status: PER Where: (a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites. (c) <u>Stormwater Management and the use of Low Impact Design methods</u> (d) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u></p>
<p>MRZ2-S13 Building setbacks – water bodies</p>	
<p>(1) Activity status: PER Where: (a) <u>Within the Stormwater Constraints Overlay 1% AEP floodplains a building must be set back a minimum of:</u> (i) <u>23m from the margin of any lake;</u> (ii) <u>23m from the margin of any wetland;</u> (iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u> (iv) <u>28m from the margin of either the Waikato or the Waipa River.</u> (b) <u>Outside the Stormwater Constraints Overlay and the Flood Hazards Overlay 1% AEP floodplains</u> A building must be set back a minimum of: (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) <u>21.5m</u> 23m from the bank of any river (other than the Waikato River and Waipa River); (iv) <u>26.5m</u> 38m from the margin of either the Waikato River and the Waipa River (v) <u>23m from mean high water springs</u> (c) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ-S12(1)(a); (d) MRZ-S11(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values <u>including hydrology and flooding.</u> (g) <u>Where located within the catchment of the Waikato River the extent to which the application enhances or benefits the Waikato River and its tributaries</u> (h) <u>(h) Effects on cultural values identified in Chapter 2-18 Maori Values and Maatauranga Maaori-Chapter.</u> (i) <u>(i) The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</u></p>

APPENDIX B – Submitter Amendments to MRZ2 Subdivision Provisions

APPENDIX B – SUB Subdivision

Pokeno West /CSL/Top End – Draft Proposed Changes – 5 July 2023

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

The provisions in this chapter are based on the provisions of the MRZ – Medium density residential zone of the proposed Waikato District Plan.

Standard text is used for existing provisions contained in the proposed Waikato District Plan.

Green underline text is used for new provisions.

~~Black Strikethrough~~ is used to show the deletion of existing provisions.

The provisions in this chapter incorporate the density standards in Part 2 of Schedule 3A of the Resource Management Act 1991 (the Act) and the objectives and policies in Clause 3 of Schedule 3A of the Act. In accordance with Section 80H of the Act these provisions are shown shaded grey.

s42A changes relating to new QMs and/or in response to the submissions are in **red**
Submitters (Pokeno West/CSL/Top End) amendments are in **blue**

MRZ2 – Medium density residential zone 2

SUB-RI52	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Compliance with the approved land use consent; and</p> <p>(d) Provision of infrastructure.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-RI53	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(3) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) <u>Except where the site is within the 1% AEP floodplains</u>Stormwater Constraints Overlay <u>or within the Flood Hazard Overlay; and</u></p> <p>(b) <u>Except where SUB-RI54 (Subdivision – residential) applies,</u> sSubdivision must comply with all of the following standards:</p>	<p>(4) Activity status where compliance not achieved: DIS</p>

	<p>(i) Except in the minimum vacant lot site restriction area, pProposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</p> <p>(ii) In the minimum vacant lot size restriction area proposed vacant lots must have a minimum net site area (excluding access legs) of 450m², except where the proposed lot is an access lot, utility allotment, or reserve to vest; and</p> <p>(iii)(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>(c) Where the site is within the 1% AEP floodplains Stormwater Constraints Overlay, the minimum site size is 450m²</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Shape of lots and variation in lot sizes; (c) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Opportunities for streetscape landscaping; (g) Vehicle and pedestrian networks; (h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (i) Provision of infrastructure. (j) <u>Flooding effects including safe access and egress</u> (k) <u>Stormwater Management and the use of Low Impact Design methods</u> (l) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u> 	
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