

**Before an Independent Hearings Panel**

**The Proposed Waikato District Plan (Stage 1)**

**IN THE MATTER OF** the Resource Management Act 1991 (**RMA**)

**IN THE MATTER OF** hearing submissions and further submissions on the Proposed  
Waikato District Plan (Stage 1) Hearing 3:  
**Topic 3 – Strategic Objectives**

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**PRIMARY EVIDENCE OF MARK SEYMOUR MANNERS TOLLEMACHE  
ON BEHALF OF HAVELOCK VILLAGE LIMITED**

**15 October 2019**

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## 1. EXECUTIVE SUMMARY

- 1.1 Havelock Village Limited (**HVL**) is a submitter and further submitter on the Proposed Waikato District Plan (**PWDP**).<sup>1</sup> It manages sizeable landholdings in southern Pokeno at 88, 242 (in part) and 278 Bluff Road and seeks plan provisions to enable a comprehensive and integrated residential development on this site. As a result it is interested in the objectives, policies and provisions regarding urban growth and the urban environment.
- 1.2 I agree with the overall direction of a compact urban form with growth consolidated in and around existing identified towns and villages (as outlined in Objective 4.1.2). However, I consider that some of the other growth management provisions need to be amended to be more flexible to account for additional information, changing growth projections and updates to strategic planning documents. This includes a small but important amendment to Objective 4.1.1 (now 1.13.2).
- 1.3 I consider that Council may have available new and additional information for growth and population projections through its existing work programme to develop a District Growth Strategy (draft available end of 2019). This is likely to be useful to consider the drafting of specific policies associated with growth management in the District and in the evaluation of rezoning submissions. It may be necessary and appropriate to revisit strategic objectives and policies associated with growth to take into account more recent data based on the 2018 census and population projections rather than data based on the 2013 census. In addition, I consider that consequential changes may be likely from the rezoning topics as a number of submissions involve significant proposals to accommodate growth in a compact and contained manner around existing towns.
- 1.4 I am concerned that policies reference external documents such as *Future Proof Strategy: Planning for Growth (2017)* (**Future Proof 2017**). This is because Future Proof 2017 contains a significant range of issues and guidance, but is in itself not a document formulated and adopted under the first schedule process of the RMA. References to consistency with the settlement pattern in Future Proof 2017 in Policy 4.1.3 may act to frustrate appropriate proposals, and the reference to a document formulated in 2017 could result in the Policy being outdated by a new version of Future Proof even before the PWDP becomes operative. The addition of specific towns and villages in Objective 4.1.2 recommended in the section 42A report ensures the relevant locations for growth are identified in the PWDP.

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<sup>1</sup> Submission 862. Further submission FS1377.

- 1.5 The references to density in Policy 4.1.5 are not consistent with the Waikato Regional Policy Statement (**WRPS**), and to a degree are inconsistent with Future Proof 2017. Policy 4.1.5 reads as an absolute, and does not reference an 'average gross density' target to be achieved over time as is outlined in the WRPS and Future Proof 2017.
- 1.6 I have also provided commentary on a number of policies within the Urban Environment Chapter that are relevant to subdivision and land development, to ensure they are realistic and appropriate.

## **2. INTRODUCTION**

- 2.1 My full name is Mark Seymour Manners Tollemache. I am an independent planning consultant and Director of Tollemache Consultants Limited. I confirm that I have the qualifications and expertise previously set out in my primary planning evidence for Topic 1.<sup>2</sup>
- 2.2 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

### **Scope of evidence**

- 2.3 My evidence provides planning assessment and commentary on:
- (a) Strategic Direction – Growth Chapter;
  - (b) Strategic Directions – Specific provisions;
  - (c) Strategic Direction Chapter – Masterplans;
  - (d) Strategic Objective – Urban Environment and Urban Development Capacity;
  - (e) Objective 4.1.2 – urban growth and development;
  - (f) Policy 4.1.3 – Location of development;
  - (g) Policy 4.1.5 Density; and

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<sup>2</sup> See paragraphs 2.1 – 2.4, Tollemache primary planning evidence for Havelock Village Limited for Hearing Topic 1 dated 16 September 2019.

(h) A range of other more technical policies relating to subdivision and land development.

2.4 I have not undertaken an assessment against each of HVL's further submission points as I did not consider it necessary for this particular topic. Instead I have focused on the themes and matters of importance to HVL.

### **3. STRATEGIC DIRECTION – GROWTH CHAPTER**

3.1 Important to the consideration of the appropriate extent of urban zones associated with the towns and villages in the District is an up to date understanding of the growth projections and trends associated with the District, and in particular those locations where significant growth and demand is occurring. Section 5.1.2 of the Section 42A Report recommends that no amendments are required to Chapter 1 of the PWDP to address concerns raised in submissions<sup>3</sup> about out of date data.

3.2 In my opinion, an important aspect of addressing whether the appropriate level of growth has been provided for in the PWDP (particularly in relation to hearings on location specific rezoning submissions in October 2020), will be the reliability and completeness of the information available to understand the extent of zones necessary to accommodate growth. The section 42A Report identifies available information on growth being the *Waikato District Development Strategy (2015)*, *Waikato District Growth Strategy (2019)*, *Future Proof Strategy: Planning for Growth (2017)*, *Housing Capacity Assessment 2017* and *Business Development Capacity Assessment 2017*.

3.3 I am not aware that the document *Waikato District Growth Strategy (2019)* has been published, and understand from discussions with Council officers that this document is still being drafted and may be released for consultation late 2019. I understand this document is based on more up to date 2018 census data and building consent information (for dwelling numbers). As a result it could be of particular assistance in understanding the most recent growth trends and projections, and could be of more assistance in considering strategic objectives and policies associated with growth than documents which utilised 2013 census data and were prepared prior to the most recent analysis of building consent data (for example for locations such as Pokeno).

3.4 To illustrate the concern regarding out of date data and strategies, I will discuss below the assessments and strategies that have underpinned Pokeno over the past decade. This town has been subject of a number of growth strategies over the past decade and

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<sup>3</sup> For example Submission 198.5

the population and spatial extent of the town has consistently met or exceeded its anticipated size at each step. The town is popular and growing rapidly. Major industrial investment has occurred and is ongoing. This reflects Pokeno's location close to Auckland (including employment and commercial opportunities in its southern growth areas), its advantage in house/land prices (compared to Auckland, Drury and Pukekohe), its accessible location in terms of road transport and its potential in terms of rail transport.

3.5 Without a certain or long-term view of the opportunities for growth in Pokeno which relate to the most recent available population data, the settlement is either going to reach capacity limits, or that growth may not be undertaken in an integrated manner in terms of the town centre, employment areas and infrastructure. The PWDP and current district growth strategy work offers this opportunity for Council.

3.6 From my review of the available information in the Section 32 and PWDP, there is currently no confirmed or existing long-term growth strategy for Pokeno. Over the last 15 years Pokeno has been subject to a number of growth strategies, each which has involved the evolution of the expectations of Pokeno's potential to accommodate growth, employment and economic development. These include:

(a) The Franklin District Plan Change 14 (The **Rural Plan Change**) planned for a small village with self-servicing sites, supported by large lot countryside living development in Pokeno East;

(b) The Franklin District Growth Strategy 2007 (**FDGS**) envisaged a small town with serviced sites;

(c) The Pokeno Plan Change 24 supported a larger town with significant new infrastructure capacity to service growth (and bought forward the forecasted development well in advance of the FDGS timeframes);

(d) The Graham Block Private Plan Change 21 increased the density of development in this zoned land; and

(e) The area of Pokeno West, proposed with the PWDP. This contributes additional capacity to Pokeno's future, beyond that envisaged by Future Proof 2009 and 2017, the FDGS or recent plan change activity.

3.7 Each of these processes over the last decade has evolved the concept of what Pokeno could be. The actual potential of Pokeno is not currently well articulated in any of the statutory documents, as these either are a decade old or only reflect the current zoned

opportunities. Likewise, data on existing population and its analysis to date has been based on the 2013 census which does not reflect the growth resulting from zoned opportunities in Pokeno.

- 3.8 Evidence in upcoming topics will illustrate that Pokeno is the fastest growing settlement in the District. In 2013 there were 651 dwellings in the Pokeno census unit. I understand that Pokeno Village Holdings Ltd has sold between 1000 and 1200 lots in the past 5 years and 1000 building consents issued within Pokeno Estate.<sup>4</sup>
- 3.9 This example illustrates that Future Proof and Council may not have anticipated the potential growth associated with this part of the District. I consider that information which is likely to be available at the end of the year through a draft of the District Growth Strategy may be of assistance in formulating the final version of the Strategic Objectives associated with growth management, and consequently in the consideration of the appropriate framework for evaluating rezoning requests in October 2020. This is particularly important when the PWDP may not become operative until several years after decisions on submissions are released in 2021, and when it becomes operative the basis of the growth management could be based on documents from 2015 to 2017.

#### 4. STRATEGIC DIRECTIONS – SPECIFIC PROVISIONS

- 4.1 Waikato Regional Council seek to clarify whether the provisions within Chapter 1.12 *Strategic directions and objectives for the district* of the PWDP are strategic objectives or desired outcomes.<sup>5</sup> The s42A Reporting Officer discusses the mandatory directions of the National Planning Standards (the **Standards**) in relation to the Strategic Direction section of a District Plan.<sup>6</sup>
- 4.2 I am concerned that the PWDP is unclear as to the purpose and use of the Strategic Directions identified in Chapter 1.12. It is unclear how these would affect the drafting of objectives and policies, along with the consideration of the appropriateness of policies and plan provisions (or future plan changes of resource consents). I understand they are not objectives and policies, but presumably they are intended to guide the subsequent objectives and policies of the PWDP.
- 4.3 I am not aware of any reference to Strategic Directions in the Resource Management Act, and therefore no additional guidance is available. The mandatory directions of the National Planning Standards presume there is a cascade between directions,

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<sup>4</sup> [http://www.pokenovillageestate.co.nz/latest\\_news/aucklands-urban-sprawl-gains-pace-south-of-the-bombays](http://www.pokenovillageestate.co.nz/latest_news/aucklands-urban-sprawl-gains-pace-south-of-the-bombays)

<sup>5</sup> Refer to submission points 81.76 – 81.82 of Waikato Regional Council

<sup>6</sup> Paragraph 29 of the s42A Report: Hearing 3

objectives and policies, however I find little in the way of guidance as to the relevant objectives and policies resulting from the strategic directions in the drafting of Chapter 1.

- 4.4 My preference is that these strategic directions are deleted as I do not consider they provide a significant level of value beyond the objectives and policies of the PWDP.
- 4.5 In addition, in a number of places they seek outcomes which are not consistent with Part 2 of the Resource Management Act (for example 1.12.3 Direction – Natural Environment seeks to protect natural habitat and ecological values, inconsistent with the provisions of Section 6(c) of the Resource Management Act which relate to ‘significant’ indigenous vegetation and significant habitats of indigenous fauna).
- 4.6 If these are to be retained, I respectively suggest that expert caucusing could assist in identifying amendments appropriate to a more specific understanding of the purpose and use of the Strategic Directions in the PWDP.
- 4.7 In addition, both 1.12.2(b)(i) and 1.12.4 (c) reference ‘area identified’ and ‘defined growth areas’. I consider that these Strategic Directions would be clear if the text reference the term ‘towns and villages’ or settlements so it is clear that its focus is on the urban settlements of the district, rather than a more local content of specific spatial directions for growth within a settlement.
- 4.8 The lack of clarity in the use of varied terms throughout the PWDP can result in confusion as to the intent of the clause and which areas are relevant, as creates a disjoint for example with Objective 4.1.2 which uses the term existing towns and villages.

## **5. STRATEGIC DIRECTION CHAPTER - MASTERPLANS**

- 5.1 Section 6.1.3 of the section 42A Report has recommended clarifications associated with how master plans and structure plans are utilised in the PWDP. I agree with Mr Matheson, and consider that master plans and structure plans should be acknowledged as appropriate methods to promote the integration and management of growth and resources.

## 6. STRATEGIC OBJECTIVE – URBAN ENVIRONMENT AND URBAN DEVELOPMENT CAPACITY

- 6.1 The section 42A report has recommended that Objective 4.1.1 be relocated to Chapter 1 and renamed as “Strategic Objective – Urban Environment and Urban Development Capacity”. I refer to this version of the Objective.
- 6.2 I am comfortable with the intent of the first part of the Objective about “Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated”. The wording of the Objective could be improved but I do not suggest any amendments at this stage.
- 6.3 The second part of the objective seeks to implement the directions in the National Policy Statement on Urban Development Capacity (**NPS**) that districts must provide sufficient, feasible development capacity over various time periods. Including this type of provision is a necessary requirement in order to give effect to the NPS. But given my evidence above about the current out of date growth and population data, the number of dwellings will likely need to be updated during the hearing process.
- 6.4 This second part of the objective refers to meeting the **minimum targets** for sufficient, feasible capacity for housing. I consider this means that these figures are the minimum that must be provided but it can be appropriate (and I would say is appropriate) to provide for more capacity than these minimums.
- 6.5 I therefore am concerned that referring to meeting minimum targets may be interpreted by as meaning that it is only necessary to meet those targets and it is inappropriate to provide for greater housing capacity than these minimum targets. I consider this would be inconsistent with the purpose of the NPS. In order to address this concern I recommend a minor wording change to remove reference to minimum targets and instead state that sufficient development capacity will be provided.

### 1.13.2 Strategic Objective – Urban Environment and Urban Development Capacity Minimum Targets

- (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.
- (b) ~~The minimum targets for s~~Sufficient, feasible development capacity for housing in the Waikato District area ~~are met~~ is provided to accommodate residential growth, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

6.6 This amendment reflects the corresponding growth provisions of the Auckland Unitary Plan<sup>7</sup> and addresses my concern about creating an unintended fetter on providing additional capacity.

## 7. OBJECTIVE 4.1.2 – URBAN GROWTH AND DEVELOPMENT

7.1 I am comfortable with the amendments Mr Matheson has proposed to Objective 4.1.2. I consider the approach of a ‘compact urban form’ added to the policy complements the consolidation of growth in and around existing towns and villages. I support the cross-reference to specific towns and villages identified in Policies 4.1.10 to 4.1.18. This will mean it is not necessary to refer to the settlement pattern from Future Proof 2017.

## 8. POLICY 4.1.3 – LOCATION OF DEVELOPMENT

8.1 I am concerned with the clarity of Policy 4.1.3(b) as it references Future Proof 2017, and seeks to locate urban growth only where that is consistent with it. The reference to urban growth areas as settlements is appropriate and consistent with the amendments recommended by Mr Matheson in Objective 4.1.2. However, my concern is that urban growth areas could also be referenced as a spatial limit within each settlement. Future Proof 2017 includes limits to growth (Maps 1 and 2), albeit the limits are indicative and based on the WRPS, and under the Policy these limits to growth could also be referenced as restrictions on the appropriate growth of a settlement.

8.2 Again, the concern stems from Future Proof 2017 not reflecting the most recent census data or potentially the Council’s draft growth strategy to be released later this year. I am concerned that reference to being consistent with Future Proof 2017 could unnecessarily restrict development in those locations if growth was being evaluated through *Appendix 1 Allocation and Staging of Growth Detailed Tables of Future Proof 2017*. In addition, if Future Proof was updated then the Policy would refer to an outdated strategy which would necessitate a plan change to alter the reference. The effect of this would be similar to the WRPS references to the DGS 2007, or the previous version of Future Proof.

8.3 I consider that it is unnecessary to identify Future Proof at all in a policy. The Auckland Council sought a similar approach seeking a reference in policy to the Future Land Supply Strategy, and this was not accepted by the Independent Hearings Panel. This is my preferred outcome.

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<sup>7</sup> Auckland Unitary Plan B2.2.1(3).

8.4 If the Policy is to be retained, a possible drafting suggestion to clarify the Policy is to reference the locations identified in Policies 4.1.10 to 4.1.18 rather than an externally referenced document.

(b) Locate urban growth areas in and around the existing towns and villages of Tuakau, Pokeno, Te Kauwhata, Huntly, Taupiri, Ngaruawahia, Horotiu, Te Kowhai and Raglan only where they are consistent with the Future Proof Strategy Planning for Growth 2017.

8.5 A further alternative is to expressly refer to any future updates to Future Proof Strategy and to the Waikato District Growth Strategy. With this amendment clause (b) of the policy would read:

(b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017 or any subsequent updates to the Future Proof Strategy or Waikato District Growth Strategy.

## 9. POLICY 4.1.5 DENSITY

9.1 While I understand the aim of Policy 4.1.5 to establish minimum density targets for residential development, I have concerns with the manner in which this reflects the **WRPS**. Clauses (b) and (c) of Policy 4.1.5 state:

*(b) Achieve a minimum density of 12 – 15 households per hectare in the Residential Zone.*

*(c) Achieve a minimum density of 8 to 10 households per hectare in the Village Zone where reticulated services can be provided.*

9.2 The relevant Policy in the WRPS is 6.15. In particular I note in the wording of this policy that:

(a) The WRPS seeks development provisions over time achieve the targets;

(b) The targets are measured as 'average gross' density;

(c) In the Waikato District only Ngaruawahia, Raglan and Te Kauwhata are identified as 12 to 15 households per hectare; and

(d) Greenfield development in the remaining Waikato District rural villages are identified as 12 to 15 households per hectare.

9.3 I consider it is important that Policy 4.1.5 maintains key language from the WRPS Policy 6.15. This includes density being an 'average gross', and currently Policy 4.1.5 is silent on the methodology to calculate density. There is a significant difference

between net and gross yield given aspirations for roading networks, reserves, along with the enhancement and protection of natural features such as streams and bush and the acknowledgement of topographical constraints – all of which affect density calculations. I also consider the phrase ‘over time’ to be particularly important, as this provides an opportunity to recognise that in a community it may take time to achieve medium and higher density developments, and that these in the Waikato represent a small proportion of the market.

9.4 I recognise that Future Proof 2017 has identified Pokeno and Tuakau as towns in the category of 12 to 15 households per hectare.<sup>8</sup> I also acknowledge that Future Proof 2017 has indicated that these density targets “*are to be achieved over time and not necessarily immediately*”.<sup>9</sup> It also identifies in Table 2 that density is to be measured as an “*average gross density target*”. I consider both these references indicate that the WRPS and Future Proof do not necessarily seek immediate achievement of the density figures, that these are ‘targets’ (and consequently are not necessarily absolutes as other environmental circumstances may necessitate lesser density), and they are to be measured as an average gross.

9.5 This nuance is missing from Policy 4.1.5 which starkly would result in proposals being contrary to the policy if the density target is not achieved, and could in itself create confusion as to how the density target is to be measured.

## **10. OBJECTIVE 4.1.7 CHARACTER OF TOWNS**

10.1 The objective seeks, amongst other matters, that ‘development’ ‘reflects the existing character of towns’. I do not consider that it is appropriate to reflect existing character. This limits consideration to the characterises of today’s communities, and while amenity values may be maintained and enhanced, and objective focussed on reflecting existing character is unlikely to be forward thinking in terms of the new character that development can bring to a community. This approach is consistent with aspects of the new proposed National Policy Statement on Urban Development which acknowledges that amenity values can change over time.

10.2 In the case of Pokeno’s mainstreet, it can be hardly said there are significant character elements that would be reflected in new development. New development, with good urban design outcomes, could significantly improve character and amenity, and this may be at the expense of a character which is currently run down and missing many

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<sup>8</sup> Section 6.3

<sup>9</sup> Section 6.3

elements considered important to a thriving town centre. I consider the reference to 'existing character' to be overly restrictive and not forward looking in terms of the new character and amenity that can be achieved with development. It does not acknowledge for example significant elements that contribute to character or identify, but rather reflects all character (which would include adverse environmental outcomes).

10.3 At a minimum reference to the existing character of towns should be removed and replaced with wording that is more forward looking and contemplates change.

## **11. POLICY 4.1.9 – MAINTAINING LANDSCAPE CHARACTERISTICS**

11.1 I am concerned about the wording and potential implications of this policy. Where land is identified as a Residential Zone, subdivision and development often involves vegetation removal and the earthworking of land to achieve building platforms, reasonably level lots and road and services that meet the minimum and maximum grades of Council's code of practice. Retaining, batter slopes and cuts are common in greenfield development situations to overcome topography.

11.2 The policy lacks context as to whether it is addressing all landscape characteristics, or just those that are significant. It is broad and uses language such as 'fundamental' which is not certain, and no further guidance is outlined as to how this policy would be implemented through standard engineering practice. A site may be vegetated due to being a rural property, and this would potentially be a fundamental characteristic which the policy seeks to maintain even though the land is zoned urban and no notable trees are scheduled.

11.3 In my experience maintaining shape, contour and landscape in greenfield residential developments is generally not possible where the site already has rolling and steep topography. Consequently, while the policy may work well for flat sites it does not reflect engineering practice or assist in defining landscape characteristics.

11.4 I consider the policy would be problematic in the consideration of restricted discretionary, discretionary and non-complying activities, including engineering works associated with subdivision. I consider the policy should be significantly narrowed to address landscapes which have merit to be maintained, or otherwise if intended to apply to all land it should be deleted as it will frustrate development and create a conflict between engineering standards and the maintenance of existing character in environment where change is anticipated and enabled.

## 12. POLICY 4.1.11 – POKENO

- 12.1 This Policy relates just to Pokeno but represents a serious missed opportunity to provide strategic direction about the growth of the town. This is consistent with the concerns expressed earlier in my evidence. The potential for growth in Pokeno and the ability to provide for a variety of housing densities should be recognised.
- 12.2 At a minimum, I consider the policy should include some of the same matters as the bespoke policy for Tuakau (4.1.10). Further amendments to the policy are likely to be required in the future in light of new information and the rezonings.
- 12.3 My proposed amendments to the Policy are

### 4.1.11 Policy – Pokeno

- (a) Pokeno is developed to ensure;
- (i) occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a high quality living environment
  - (ii) Subdivision, land use and development of new residential and industrial growth areas does not compromise the potential further growth and development of the town;
  - (iii) Walking and cycling networks are integrated with the existing urban area; and
  - (iv) Reverse sensitivity effects from on the strategic transport infrastructure networks are avoided or minimised.

## 13. POLICY 4.7.2 SUBDIVISION LOCATION AND DESIGN

- 13.1 I am concerned with the drafting of this Policy. While I agree with much of the content, the drafting could be significantly improved. The matters of most particular concern are.
- (a) Clause (i) – being sympathetic (defined as feeling, showing, or expressing sympathy) is not an active imperative. As this policy relates to subdivision which is a restricted discretionary activity (where complying), the policy should be specific as to the matters that need to be addressed in the design rather than being sympathetic to environmental qualities. The specific qualities of concern should be identified rather than a general capture all approach. The imperative should highlight, at a minimum, that subdivision should ‘address these where relevant’;
  - (b) Clause (ii) – Establish boundaries that avoid buildings and structure dominating adjoining land. The policy relates to subdivision, and land use controls address bulk and location and height of buildings. The subdivision needs to rely on the underlying land use controls, and extent that this policy implements the design of

subdivision is subjective. I consider that the policy should provide for effects to be remedied or mitigated, and should limit its impact to the layout of lots rather than unknown future buildings which in themselves could be permitted;

- (c) Clause (iii) – the sharing of views is not considered to be a significant resource management issue worthy of a policy. The means to share views is not clear. This clause should be deleted.
- (d) Clause (vii) – to assist in interpretation this policy should refer to urban blocks and roads to contextualise the reference to grid layout. I would prefer the policy references interconnected street networks rather than a grid as topography will always result in a distortion of a road network so that it is not a ‘consistent grid’.

#### **14. POLICY 4.7.7 – ACHIEVING SUFFICIENT DEVELOPMENT DENSITY TO SUPPORT THE PROVISION OF INFRASTRUCTURE SERVICES**

14.1 I do not consider that the drafting of the policy is appropriate. For example, it directs the ‘maximum potential yield’ for the zone be achieved with subdivision and development. For subdivision this means that the minimum lot sizes is the only lot size available, with no opportunity for a variety of lots to achieve a variety of housing types and price points. The maximum potential yield through land use consent could be low rise apartment development, terraces, or duplexes. Achieving the maximum potential yield is not realistic or appropriate in the provisions of a wide variety of housing types and environmental constraints.

14.2 I have previously raised concerns with the drafting of Policy 4.1.5.

14.3 I consider that the basis for the policy is not sound. The drafting is not appropriate, and the policy is unnecessary if Policy 4.1.5 is acceptable with amendments. Clause b) of the Policy is appropriate as it recognises that yield may be affected by environmental constraints, and this can be added to Policy 4.1.5. However I would remove the phrase ‘proven’ as this highlights what seems to be a burden of proof test which is unknown.

#### **15. OTHER POLICIES**

15.1 There are a number of other policies addressed in the section 42A report. Based on current information and the amendments proposed by Mr Matheson, I am comfortable with the following policies:

- (a) Policy 4.1.8 – integration and connectivity. The matters outlined are important to the development of integrated and sustainable communities;

- (b) Policy 4.7.3 subdivision location and design;
- (c) Policy 4.7.4 – lot sizes;
- (d) Policy 4.7.5 – servicing requirements;
- (e) Policy 4.7.6 – co-ordination between servicing and development and subdivision;
- (f) Policy 4.7.8 – staging of subdivision;
- (g) Policy 4.7.11 – reverse sensitivity; and
- (h) Policy 4.7.14 – structure and master planning.

**Mark Tollemache**

15 October 2019