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SUBMISSION ON PLAN CHANGE 16 TUAKAU STRUCTURE PLAN STAGE 1

Introduction

This Submission is from:

Greig & Bovill Developments Limited

C/- The Surveying Company

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I could not gain an advantage in trade competition through this submission.

I am directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that my submission relates to are:

Amendment 16.1 – Chapter 15C: Tuakau Structure Plan (Stage 1)

<p>We seek amendments to the provision named above:</p>	<p>We support the intent of the proposed provisions but want to ensure the objectives and policies provide scope for maximising lifestyle choice by allowing residential development in a range of sizes, using performance standards rather than an arbitrary minimum lot sizes. There is a need to encourage a greater intensity of development for the sake of diversity and efficient use of the urban land resource. The objectives and policies must allow for consideration closer subdivision in suitably located areas that are able to utilise urban services, particularly in areas of easier terrain.</p>
<p>We seek the following decisions from the Waikato District Council:</p>	<p>Add the following policies to 15C.2 Issue – Planned and Sustainable Growth of Tuakau:</p> <p><u>That the plan provides for a range of lot sizes and urban densities.</u></p> <p><u>That the plan's regime of subdivision and development controls be designed and administered to recognise the differing attributes of urban land and to give scope for innovative residential subdivision, development and house designs by the use of performance based standards wherever possible.</u></p> <p><u>That the Council gives favourable consideration to the closer subdivision of land within the Country Living Zone that is suited to more conventional development.</u></p> <p><u>Generally where adjacent to rural zoned land, subdivision and development should provide larger lot sizes and/or larger dwelling setbacks from rural zone boundaries to minimise the potential for reverse sensitivity and conflicts with adjacent rural activities.</u></p> <p>Add the following paragraphs to 15C.3.1 Urban Amenity and Local Character:</p> <p><u>The plan should provide scope for people to exercise choice when satisfying their residential requirements. Lifestyle choice can be maximised by allowing residential development in a range of locations, on differing terrains and lot sizes, and with different levels of servicing. This objective is also important in terms of the plan's strategy for safeguarding the rural areas from inappropriate 'lifestyle' development.</u></p> <p><u>There is no minimum size for lots as such (unless specified by regional</u></p>

rules). This will also aid the plan's objective of ensuring efficient use of the urban land resource, and will give greater access to freehold titles. Opportunities for closer subdivision in 'Country Living' areas can be provided in some circumstances due to such factors as:

(a) proximity to the Living Zones;

(b) the ready availability or efficient means of utilising full urban services;

(c) easier terrain;

(d) physical isolation from the main part of the zone; or

(e) other factors which in combination justify a closer development pattern,

Rules should not be administered so rigidly as to stifle 'good' development that does not comply. The Act and the plan together provide the means and circumstances by which development rules and standards can be dispensed with through the resource consent process.

Add the following paragraph to 15C.3.2 Infrastructure and Service Provision:

Areas immediately adjacent to the Living Zones are likely to be suited to conventional subdivision due to the availability of water and sewage reticulation. Allowing conventional development within the Country Living Zone will be consistent with the plan's objectives of making efficient use of land, and will enable the normal process of urban change to occur in a planned fashion. Subdivision consent conditions will allow a level of servicing to suit the intensity of development while taking into account the standard of services that exists in the locality.

Add the following policy to 15C.8 Issue – Amenity Values for Urban Subdivision, Building and Development:

Lots should be of an appropriate size and dimension to provide for the development of a dwelling house and associated activities to ensure that all residential buildings and developments be appropriately sized, sited and designed with due consideration for the parking, sufficient and usable outdoor living, and storage and service needs that would normally be associated with the proposed activity. These are considered to be the minimum onsite amenity requirements for multiunit housing and dwelling houses.

	<p>Amend 15C.9 Reasons and Explanations as follows:</p> <p>Subdivision design, including allotment location, size and shape, is the starting point for management of amenity issues. Subdivision often dictates the location of buildings that will subsequently be built and the open space that can be provided around them. The size and dimensions of allotments can have cumulative effects on the amenity of neighbourhoods and localities, especially where the density of development is higher than in the locality generally. <u>Residential areas have space between and around buildings. This sets their character. A coverage standard will maintain an open appearance, and will tend to maintain building setbacks. A front yard safeguards the generally open appearance of residential areas, and provides space for planting or landscaping.</u></p> <p><u>The zones contains various standards which must be satisfied for an activity to be permitted, and assessment criteria to be applied to resource consent applications are included where a relaxation of the standards may be justifiable. Where the minimum standards are not met, appropriate design solutions will be encouraged.</u></p> <p><u>Where development is proposed on small lots, it should be demonstrated that an appropriate development can be located on the lot in a manner that maintains and/or enhances onsite and offsite amenity. A height-in-relation-to-boundary standard is a widely accepted way of ensuring that buildings on one site do not unreasonably restrict access to daylight for adjacent buildings or sites.</u></p> <p><u>Resource consents are necessary for proposals to develop houses on small lots, providing an opportunity for the quality of the proposal to be assessed in respect to onsite and offsite amenity. For the avoidance of doubt, land use and subdivision applications may be considered contemporaneously.</u></p>
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Amendment 16.2 – Schedule 21E: Tuakau Living Zone Rules (New Residential)

<p>Our Submission is:</p>	<p>We support the intent of the proposed provisions but want to ensure the activity rules and assessment criteria are appropriate.</p> <p>Reticulated telecommunications are an outdated method of communication and the district plan needs to acknowledge that substantially better and more affordable options are available, such as the wireless.</p>
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	<p>Rigid minimum net lot sizes only work for the creation of vacant lots in greenfield areas where the ultimate form of development is unknown. That the same on-site standard of living amenity and convenience be required for both single houses and multi-unit housing developments. The notional lot plan is required to show that at each stage of building, or for every building proposal, the standards for each unit are maintained to the same extent as if the proposal was for a house on its own (freehold) site.</p> <p>That all residential buildings and developments be appropriately sized, sited and designed with due consideration for the parking, sufficient and usable outdoor living, and service needs that would normally be associated with the proposed activity. These are considered to be the minimum on-site amenity requirements for multi-unit housing and dwelling houses.</p> <p>There is a need to encourage a greater intensity of development for the sake of diversity and efficient use of the urban land resource. Lots should provide sufficient space on-site and buildings should be of an appropriate size to achieve useable outdoor living areas in relation to the size of the proposed dwelling.</p> <p>The path of the sun will usually be a key factor in daylight admission and a height-in-relation-to-boundary standard is a widely accepted way of ensuring that buildings on one site do not unreasonably restrict access to daylight for adjacent buildings or sites.</p>
<p>We seek the following decisions from the Waikato District Council:</p>	<p>Amend 21E.13 On-site services as follows:</p> <p>Any activity is a permitted activity if:</p> <p>(a) the site is connected to a telecommunications network and energy supply network, or has a stand-alone energy supply, <u>or the provision of wireless telecommunication services</u>, and</p> <p>Amend 21E.34 Number of dwellings as follows:</p> <p>Construction of a dwelling, other than a dependent person’s dwelling, is a permitted activity if, after completion:</p> <p>(a) there is only one dwelling on the land contained in the certificate of title, or</p> <p><u>(b) every building proposal on the site of an existing or proposed multi-unit housing activity shall be accompanied by:</u></p> <p><u>(i) a detailed site plan which depicts notional lot boundaries for</u></p>

each unit to which the proposal relates. (Notional lot boundaries are boundary lines that would be drawn around each unit in the case of a freehold subdivision of the land on which the unit/s sits).

- (ii) The notional lot boundaries shall accurately define the areas which are, or are intended to be, used exclusively by the occupants of the unit to which they relate (including restrictive covenant areas), and shall also show all areas which are, or are intended to be, used in common by the occupants of the site, whether for driveway, services, or other purposes.
- (iii) The notional lot boundaries shall be drawn to demonstrate that all of the requirements set out in Rules 21E.36 to 21E.50 are complied with.

Amend 21E.38 Daylight admission as follows:

Construction or alteration of a building is a permitted activity if:

~~(a) the building does not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.~~

(a) No building or part thereof shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary, and

(b) No building or part thereof located between 135 degrees through south to 225 degrees shall exceed a height equal to 2.5 metres plus the shortest horizontal distance between that part of the building and any site boundary, and

(c) where the land abutting a site boundary is part of an entrance strip, right of way, access lot or public pedestrian accessway the far boundary of that land shall be deemed to be the site boundary for the purposes of this standard, and

(d) this standard shall not apply:

(i) to the length of common wall between abutting buildings;

(ii) where the written consent/s of the owners and occupiers of the abutting sites or notional lots that would be directly affected by the encroachment have been obtained.

Amend 21E.41 Living court as follows:

Construction or alteration of a dwelling is a permitted activity if:

(a) an outdoor living court is provided, and

(b) it is for the exclusive use of the occupants of a dwelling, and

(c) the living court is readily accessible from a living area of the

dwelling, and

(d) ~~is at least 60% of the area of the court must be~~ located between 45 degrees north east through north to 90 degrees west of the dwelling measured from the southern-most part of the dwelling, and

(e) either

(i) on the ground floor ~~the minimum area for a living court shall be the lesser of 50% of the gross floor area of the house or 60m² the living court has a minimum area of 80m²~~ capable of containing a circle of 6m diameter, exclusive of parking and manoeuvring areas and buildings, or

(ii) a balcony is provided containing at least 15m² and a circle with a diameter of at least 2.4m, if the dwelling does not have a habitable room on the ground floor.

Amend 21E.50 Buildings near a stream as follows:

Construction or alteration of a building is a permitted activity if:

(a) ~~the building is set back at least 10 metres from the bank of any stream.~~

~~the building is set back at least 27.5m from the bank of any stream whose bed has an average width of 3m or more.~~

Amend 21E.56 Allotment size as follows:

Subdivision is a restricted discretionary activity if:

~~(a) every allotment is of sufficient size and dimensions to accommodate development for which a resource consent has been obtained, or~~

(b) every allotment, other than a utility allotment or access allotment, has a net site area of at least

(i) 450m², etc

Amend 21E.61 Building platform as follows:

(a) a dwelling and living court as a permitted activity, ~~and~~ or

(b) a circle with:

Amend 21E.63 On-site services as follows:

21E.63.1

Subdivision is a restricted discretionary activity if, for every allotment other than a utility or access allotment:

(a) provision is made to connect to a telecommunications network and energy supply network, or has a stand-alone energy supply, or the provision of wireless telecommunication services, and

Amendment 16.4.1 – Schedule 27B: Tuakau Country Living Zone

<p>Our Submission is:</p>	<p>We support the intent of the proposed provisions but want to ensure the activity rules and assessment criteria are appropriate. There is a need to encourage a greater intensity of development for the sake of diversity and efficient use of the urban land resource.</p> <p>Reticulated telecommunications are an outdated method of communication and the district plan needs to acknowledge that substantially better and more affordable options are available, such as the wireless.</p>
<p>We seek the following decisions from the Waikato District Council:</p>	<p>Amend 27B.10 Type of activity as follows:</p> <p>(b) a commercial activity (excluding a produce stall <u>or show home</u>), or</p> <p>Amend 27BE.13 On-site services as follows:</p> <p>Any activity is a permitted activity if:</p> <p>(a) the site is connected to a telecommunications network and energy supply network, or has a stand-alone energy supply, <u>or the provision of wireless telecommunication services</u>, and</p> <p>Amend 27B.25 Earthworks - filling using imported fill as follows:</p> <p>(iii) that is for minor upgrading of existing electricity lines does not exceed 50m³, <u>or</u> <u>(iv) is for construction and maintenance of existing public roads.</u></p> <p>Amend 27B.38 Building coverage as follows:</p> <p>27B.38.1 Construction or alteration of a building is a permitted activity if: <u>(a) total building coverage does not exceed 20%, and</u> (b) the gross floor area of all accessory buildings does not exceed 80m².</p> <p>27B.38.2 Construction or alteration of a building that does not comply with a condition for a permitted activity is a controlled activity if: <u>(a) the gross floor area of all accessory buildings does not exceed 200m².</u></p>

Control restricted to:

- amenity values
- design and location of the building
- landscaping

27B.38.3

Any activity that does not comply with a condition for a permitted or controlled activity is a discretionary activity.

Amend 27B.40 Dwelling setbacks - intensive farming activity as follows:

Construction of a dwelling is a permitted activity if it is set back at least:

(a) 300m from the boundary of the site of an intensive farming activity.

Amend 27B.42 Building near a stream as follows:

Construction or alteration of a building is a permitted activity if:

(a) the building is set back at least 10 metres from the bank of any stream.

~~the building is set back at least 27.5m from the bank of any stream whose bed has an average width of 3m or more.~~

Amend 27B.45 Allotment size as follows:

27B.45.1

Subdivision is a controlled activity if:

(a) every allotment, other than a utility allotment or access allotment, has a site area of at least 2500m², and

(c) utility allotments do not exceed 50m².

27B.45.2

Subdivision that does not comply with a condition for a controlled activity is a restricted discretionary activity if:

(a) the site is connected to a reticulated wastewater system, and

(b) every allotment, other than a utility allotment or access allotment, has a site area of at least 1500m².

Discretion restricted to:

- matters referred to in conditions for controlled activities
- the ability to service the allotments through reticulated services

27B.45.3

Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.

Amend 27B.47 Frontage as follows:

Subdivision is a controlled activity if:

(a) every allotment with a road boundary, other than an access allotment, access leg or utility allotment, has a width along the road boundary of at least 20m.

Amend 27B.49 Building platform as follows:

21E.61.1

Subdivision is a controlled activity if every allotment, other than a utility or access allotment, is capable of containing:

(a) a shape factor being either:

- (i) a circle with a diameter of at least 18m exclusive of yards, or
- (ii) a rectangle of at least 200m² with a minimum dimension of 12m exclusive of yards.

(b) a building platform that complies with Appendix B.

Amend 27B.51 On-site services as follows:

27B.51.1

Subdivision is a controlled activity if, for every allotment other than a utility or access allotment:

(a) provision is made to connect to a telecommunications network and energy supply network, or has a stand-alone energy supply, or the provision of wireless telecommunication services, and

Amendment 16.6 – Amend the existing Zone Maps 7, 7.1, 7.2 and 7.3 to reflect the rezoned areas

Our Submission is:	I support the proposed zone maps.
We seek the following decisions from the Waikato District Council:	Adopt Maps 1, 2, 3, 4 and 5.

We wish to be heard in support of our submissions.

If others make a similar submission, we will consider presenting a joint case at the hearing with them.

Yours faithfully

THE SURVEYING COMPANY



LEIGH SHAW

Planner/Project Manager