



HCC submission

Waikato District Proposed Plan -
Hearing 12 Country Living Zone

7 April 2020

| Sub | HCC submission | S42A Response | HCC Response |
|--------|---|---|---|
| 535.55 | Retain policy 5.6.8 | Accept | Support the intent of the policy, subject to the relief sought in respect of sub 535.75. |
| 535.75 | <p>Amend rule (and consequential changes to relevant policies) to ensure existing commercial centres are maintained.</p> <p>All of the CLZ is located near Hamilton or main towns. It is therefore important to maintain the primacy of existing commercial centres in Hamilton and the main towns by restricting commercial activities in this zone or add objectives and policies that better direct commercial activities to zones that are more appropriate than the CLZ.</p> | <p>Discretionary activity status is an appropriate mechanism to manage concern raised by HCC.</p> <p>The objective and policies are specific to character and amenity, and as well there is a suite of policies that manages buildings, scale and intensity of development, as well as non-residential activities. There are activities such as a childcare facility or a café, for example, which may be appropriate in the Country Living Zone, as they support the communities within them. I consider the discretionary activity status combined with policies such as Policies 5.6.8 and 5.6.9 set an appropriate framework for managing both new and existing commercial activities in the CLZ.</p> | <p>HCC seeks to ensure that commercial activities are of a community scale and that larger commercial activities are located in existing business zones.</p> <p>If the discretionary activity status as notified is to be retained, HCC seeks that Policy 5.6.8 is strengthened to better protect existing centres from inappropriate commercial activities establishing in the CLZ by amending Policy 5.6.8 to require that they are not contrary to the Business and Business Town Centres policies in Chapter 4. In particular, Policies 4.5.2, 4.5.3 and 4.5.4.</p> |

Key points

Commercial Activity in CLZ

- Ensure any commercial activities established in the CLZ are limited to providing a local service at a scale that provides day-to-day needs of a community.
- Discretionary activity status is appropriate only if supporting objectives and policies are sufficiently strong to protect against inappropriate commercial activity.
- Current objectives and policies in the CLZ are not able to achieve protection from inappropriate commercial activities.

Submission points:

- Support the intent of Policy 5.6.8, subject to the relief sought in respect of sub 535.75.
- If the discretionary activity status for commercial activities is retained, HCC seeks amendment of Policy 5.6.8 to require that a commercial activity is not contrary to the Business and Business Town Centres policies. In particular, Policies 4.5.2, 4.5.3 and 4.5.4.

| Sub | HCC submission | S42A Response | HCC Response |
|--------|---|--|--|
| 535.77 | Retain Rule 23.4.1 which prohibits subdivision of CLZ in the UEA. | <p>Recommended that subdivision in the CLZ within the UEA is changed to a Discretionary Activity.</p> <p>In regard to thinking about the future development of the Country Living Zone into residential, the transition of this area to Hamilton City Council will be a challenge, irrespective of the proposed prohibited rule, due to the placement of dwellings that already exist and other site-specific factors (e.g. driveways, effluent disposal fields).</p> <p>In terms of yield, the impact of subdivision in the Urban Expansion Area will not be significant.</p> | Retain the prohibited activity status in the UEA area in Rule 23.4.1 to ensure the objectives and policies for this overlay are achieved and to ensure that no further fragmentation of land occurs that will compromise future urbanisation of the UEA. |

Key points

Prohibited Subdivision in the UEA

- Prohibited activity status for subdivision in the CLZ within the UEA needs to be retained.
- Prohibited activity status is a critical statutory means for achieving the outcome of the Strategic Agreement.
- Prohibited activity status gives HCC the best chance to provide future urbanisation in an effective and efficient manner after it is transferred to Hamilton.
- The potential low yield of additional lots is immaterial to determining the most appropriate activity status.
- Further fragmentation of land will degrade the land resource and HCC's ability to retrofit for urban purposes and impact on the provision of strategic infrastructure.

Submission point:

- Retain Rule 23.4.1 which prohibits subdivision of CLZ in the UEA.

| Further Sub | HCC further submission | S42A Response | HCC Response |
|--|---|---|--|
| 662.3 Blue Wallace Surveyors Ltd | Oppose the amendment to Policy 5.6.3 (i) to replace the word 'avoided' with 'discouraged' | Retain the word 'avoided' as it is the intended outcome of the policy to ensure undersized lots are avoided. | Support the s42A recommendation to retain policy 5.6.3 (i) as notified. |
| Rule 23.4.2 RD1 (multiple) | Oppose the reduction or deletion of the minimum lot size for CLZ subdivision, or rezoning to Village zone | Accept & retain minimum lot size of 5000m ² | Support the retention of the notified minimum lot size of 5000m ² for the CLZ. |
| 695.121 Sharp Planning Solutions | Oppose reduction of lot sizes (1000m ²) on virtue of being located on the outskirts of towns | Accept & retain minimum lot size of 5000m ² | Support the retention the notified minimum lot size of 5000m ² for the CLZ. |
| 389.3 J & T Quigley Ltd | Oppose the inclusion of 'childhood activities (daycare) in the definition of rural activity | Childcare is appropriate within CLZ as a non-residential activity, it is not appropriate to add it to the definition of rural activity/industry | Support s42A recommendation to not amend Policy 5.6.8 or the definition of rural activity. |

Key points

Minimum Lot size in CLZ

- Support retaining the 5000m² minimum lot size in the CLZ.
- Reduction of the minimum lot size will increase the number of lots and the capacity of a CLZ.
- Increased densities in the CLZ within Hamilton's Area of Interest will impact infrastructure and detract from identified growth areas in the WRPS.
- Allowing reduced lot sizes based on proximity to towns or villages will result in ad hoc and unplanned growth which is contrary to the WRPS and Future Proof.

Further submission points:


- Oppose the amendment to Policy 5.6.3 (i) to replace the word 'avoided' with 'discouraged'
- Rule 23.4.2 RD1 - Oppose the reduction or deletion of the minimum lot size for CLZ subdivision, or rezoning to Village zone.
- Oppose reduction of lot sizes (1000m²) on virtue of being located on the outskirts of towns

FURTHER INFORMATION

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