



**Proposed Waikato District Plan
Enabling Housing Supply Variation 3
to the Proposed Waikato District Plan
Submission form**

ECM Project: PDP2022V003-03
ECM #
Submission # 066
Customer #
Property #

RMA Form 5

Closing date for submissions: 5pm on Friday 28 October 2022

Submitter details: (please note that the (*) are required fields and must be completed)

Name of submitter*:	
Contact person for communications*:	
Agent (if applicable):	
Postal address*:	
Suburb:	Town/City*:
Country:	Postal code*:
Daytime phone:	Mobile:
Email address for submitter*: Email address for agent (if applicable):	
Please tick your preferred method of contact* <input type="checkbox"/> Email <input type="checkbox"/> Postal	Correspondence to* <input type="checkbox"/> Submitter <input type="checkbox"/> Agent <input type="checkbox"/> Both
Trade competition and adverse effects:* <input type="checkbox"/> I could <input type="checkbox"/> I could not gain an advantage in trade competition through this submission. Only if you ticked "I could" above, please answer this question: I am/am not 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. Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part I of Schedule I of the Resource Management Act 1991	
Would you like to present your submission in person at a hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No If others make a similar submission I will consider presenting a joint case with them at the hearing. <input type="checkbox"/> Yes <input type="checkbox"/> No	

Please complete a line for every submission point, adding as many additional lines as you need:

<p>The specific provisions of the proposal that my submission relates to e.g provision number, map or natural hazard area</p>	<p>Do you:</p> <ul style="list-style-type: none"> • Support? • Oppose? • Amend? 	<p>What decision are you seeking from Council?</p> <p>What action would you like:</p> <ul style="list-style-type: none"> • Retain? • Amend? • Add? • Delete? 	<p>Reasons</p>
<p>e.g. SUB-RI Subdivision - general</p>	<p>e.g Support</p>	<p>e.g Retain rule SUB-RI</p>	<p>e.g Subdivision should be allowed for</p>

Please return this form **no later than 5pm on Friday 28 October 2022** to:
 Waikato District Council, 15 Galileo Street, Private Bag 544, Ngaruawahia 3742, or e-mail: districtplan@waidc.govt.nz

Signed: Date:
 (A signature is not required if you make your submission by electronic means)

PRIVACY ACT NOTE: Please note that all information provided in your submission will be used to progress the process for this variation, and may be made publicly available.

28 October 2022



To the Waikato District Council

Name of Submitter: Dominion Development Limited

Submission to *Variation 3: Enabling Housing Supply to the Proposed Waikato District Plan*

In accordance with Form 5 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, this is a submission by Dominion Developments Limited to Variation 3: Enabling Housing Supply ("Variation 3") to the Proposed Waikato District Plan.

Included with this cover letter is a completed and signed Waikato District Council submission form, and an eight (8) page explanation outlining the specific provisions and reason for the submission and the decision sought by the submitter from the Waikato District Council.

Dominion Developments Limited is seeking a decision of Council that enables the new Medium Density Residential Zone 2 (MDRZ 2) provisions, as prescribed and notified in Variation 3, on the two properties owned by Dominion Developments Ltd. These properties are:

1. 26 King Street (legal description Part Section 151 Suburbs of Newcastle North)
2. 24 and 32A Saulbrey Road (legal descriptions Sections 158 and 159 Suburbs of Newcastle South)

Both properties are located in the General Residential Zone and are located in the urban fringe of Ngaaruawaahia.

Dominion Development Limited presents the case in its submission to Council that the development of the above residential properties under the proposed MDRZ 2 provisions aligns with, and will deliver on, the objective to rapidly accelerate the supply of housing, and the offering of housing choice and housing affordability.

We do wish to be heard in support of this submission, and Dominion Development Limited cannot gain an advantage in trade competition through this submission, and believe that our submission is reasonable and not frivolous or vexatious.

Ngaa mihi, naa

A handwritten signature in blue ink, appearing to read 'Manjit Singh', with a horizontal line underneath.

Manjit Singh

Dominion Developments Limited

A handwritten signature in black ink, appearing to read 'James Whetu', with a horizontal line underneath.

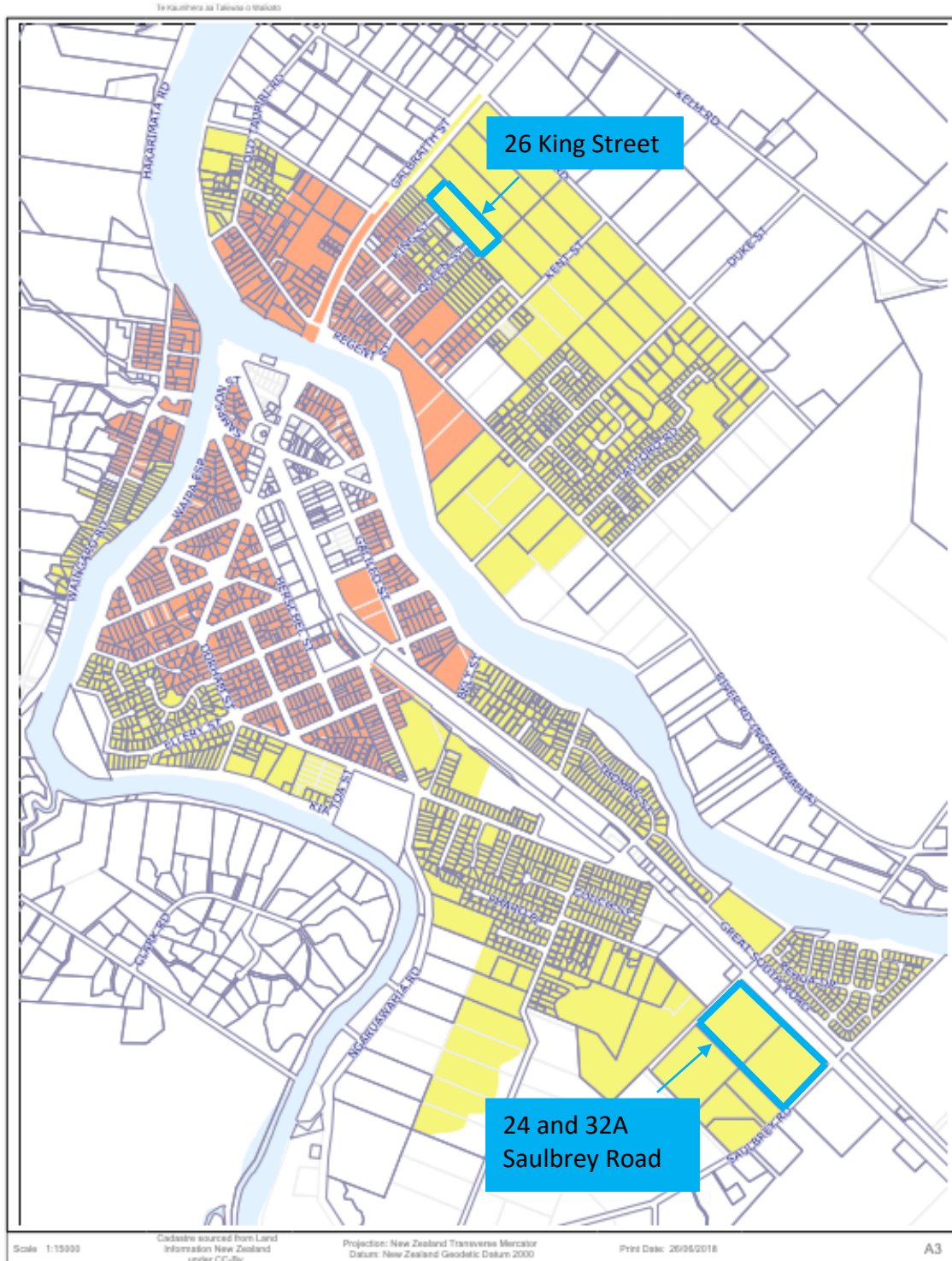
James Whetu (of Whetū Consultancy Group)

Agent for the Submitter

SUBMISSION

Dominion Developments Limited is a Waikato based company with two large properties located in the General Residential Zone of Ngaaruawaahia:

1. 26 King Street (legal description Part Section 151 Suburbs of Newcastle North)
2. 24 and 32A Saubrey Road (legal descriptions Sections 158 and 159 Suburbs of Newcastle South)



Our approach with these developments is holistic and led by our values for community wellbeing. The development objectives are to:

- Provide affordable homes
- Be commercially viable and feasible to deliver affordable homes
- Recognise and apply the principles of Te Tiriti o Waitangi
- Contribute to social well-being of Ngaaruawaahia / Waikato district
- Deliver positive environmental outcomes and local amenity

We manufacture steel frames and construct steel frame housing, and have been developing partnerships with other building material manufacturers to manage and minimise home building costs in our search to deliver affordable homes and housing typology.

To achieve our aim of housing supply and provisions of affordable homes, it is important that development costs are minimal to ensure it is commercially feasible. To be capable of developing to 200m² for detached dwellings, and 150m² for attached dwellings, and a streamlined and non-notified process, will greatly assist our aim and intent.

Through a kaupapa Maaori approach to engagement, we will seek to recognise and apply the principles of Te Tiriti o Waitangi in a manner advised and directed by mana whenua (includes Waikato-Tainui).

Additionally, where available, we will engage and commission local Ngaaruawaahia businesses to undertake any relevant and necessary work within and across all aspects of both developments, and will engage, support and collaborate with the community on wellbeing and place-making initiatives in Ngaaruawaahia.

Decision Sought from the Waikato District Council

We seek a decision from the Waikato District Council that enables the two properties owned by Dominion Developments Ltd to have the new Medium Density Residential Zone 2 provisions (as prescribed and notified in Variation) across them.

We request that the provisions of Variation 3 are amended to provide for:

1. the inclusion of 26 King Street, Ngaaruawaaha and 24 & 32A Saalbrey Road, Ngaaruawaahia in Medium Density Residential Zone 2, or
2. a bespoke Controlled Activity process in the General Residential Zone to allow medium density residential development.

Specific Provisions of Variation 3 and Reason

1. Include 26 King Street and 24 & 32A Saalbrey Road in MDRZ 2

Our preferred approach is the rezoning of the above properties from General Residential Zone to Medium Density Residential Zone 2. There are no specific provisions in Variation 3 which require amendment.

We recognise that with this request we are contesting the implementation of the Urban Fringe qualifying matter that was created by the Waikato District Council via the “any other matter” as provided for under section 77(l)(j) of the Resource Management Act 1991.

Although we acknowledge the reasons for limiting intensification beyond the 800m walkable catchment of a town centre, we contest that there are more appropriate locations in Ngaaruawaahia to implement Variation 3 and would not detract from the existing character of the township.

Both 26 King Street and 24 and 32A Saalbrey Road are large residential properties that can meet the objective of housing supply when developed under the MDRZ 2 provisions, but its distinctiveness to many of the properties in the 800m walkable catchment is that it can be undertaken in a planned and urban-designed manner so as not to reduce existing local amenity in Ngaaruawaahia.

Also, the likelihood of the currently identified MDRZ 2 properties in Ngaaruawaahia providing any immediate supply of housing is considered low, whereas the ability to intensively develop the King Street and Saalbrey Road properties can contribute to the delivery of the objective to rapidly accelerate the supply of housing, including the offering of housing choice and housing affordability.

Both properties are:

- in close proximity to Hamilton and the existing and proposed intensive residential developments in Horotiu and Te Awa Lakes,
- located close to existing active bus route/transport (public transport) along Greats South Road between Ngaaruawaahia and Hamilton, and
- in proximity and accessibility to the Waikato River and the Te Awa Cycle/Walk way as an urban amenity of the township, and connectivity between Ngaaruawaahia and Hamilton city, and the urban fringe of Ngaaruawaahia to the township.

As it has been explained in the section 32 reports, there are a number of provisions in the Proposed District Plan that will provide a level of certainty that environmental and cultural and heritage matters will be captured and assessed in the development of any MDRZ 2 properties which will to uphold the qualifying matters prescribed in section 77(i) of the Resource Management Act 1991.

We are of the view that the Urban Fringe qualifying matter is for spatial purposes and does not appreciate that better outcomes can be achieved in the urban fringe of Ngaaruawaahia.

Accordingly, we **request** that the MDRZ 2 provisions are applied to:

- 26 King Street, Ngaaruawaahia by extending the MDRZ 2 zone along all properties of King Street to include all General Residential Zone properties, and
- 24 and 32A Saalbrey Road, Ngaaruawaahia

We are of the view that intensification beyond the 800m walkable catchment in Ngaaruawaahia is consistent with the overarching national, regional and district policy framework.

2. Bespoke MDRZ 2 process for large residential properties in the General Residential Zone

Should the Waikato District Council not accept our request to re-zone 26 King Street and 24 & 32A Saalbrey Road from General Residential Zone to MDRZ 2, our secondary request is the ability for a bespoke Controlled Activity process in the General Residential Zone to allow medium density residential development.

The specific provisions in Variation 3 which require amendment are identified in red text in the below tables:

PART 2: DISTRICT-WIDE MATTERS / SUBDIVISION

Text in Variation 3
<p>SUB-P3 Lot sizes</p> <p>(1) Except for residential subdivision within the MRZ2 – Medium density residential zone 2, mMinimum lot size and dimension of lots enable the achievement of the character and density outcomes of each zone</p>
Amended Sought by Submitter
<p><i>SUB-P3 Lot sizes</i></p> <p><i>(1) Minimum lot size and dimension of lots enable the achievement of the character and density outcomes of each zone</i></p>

Text in Variation 3
<p>SUB-P23 Medium density residential subdivision</p> <p>(1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density residential zone 2, except where:</p> <p style="padding-left: 40px;">(a) There is a relevant qualifying matter; or</p> <p style="padding-left: 40px;">(b) The proposed subdivision does not comply with the relevant subdivision standards.</p> <p>(2) Require subdivision within the MRZ2 – Medium density residential zone 2 to not compromise any qualifying matters applied to the site.</p>

Amended Sought by Submitter

SUB-P23 Medium density residential subdivision

(1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density residential zone 2, except where:

- (a) There is a relevant qualifying matter; or
- (b) The proposed subdivision does not comply with the relevant subdivision standards.

(2) Require subdivision within the MRZ2 – Medium density residential zone 2 to not compromise any qualifying matters applied to the site.

(3) Provide for subdivision that supports medium density residential development in the General Residential Zone:

- (a) where the site or combination of sites for development is 2ha or more; and***
- (b) except where proposed subdivision does not comply with relevant standards and except where there is a relevant qualifying matter (excluding urban fringe)***

Text in Variation 3

SUB-R11 Subdivision – general

(1) Activity status: RDIS

Activity specific standards:

- (a) Subdivision shall comply with all of the following:
 - (i) Proposed lots must have a minimum net site area (excluding access legs) of 450m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;
 - (ii) Proposed lots must be able to connect to public-reticulated water supply and wastewater;
 - (iii) Where the subdivision is within a structure plan area, neighbourhood centres within the site are provided in accordance with that structure plan document.

Council's discretion is restricted to the following matters:

- (b) Subdivision layout including the grid layout of roads and the number of rear lots;
- (c) Shape of lots and variation in lot sizes;
- (d) Ability of lots to accommodate a practical building platform including geotechnical stability for building;
- (e) Likely location of future buildings and their potential effects on the environment;
- (f) Avoidance or mitigation of natural hazards;

- (g) Amenity values; and
- (h) Potential for reverse sensitivity effects;
- (i) Streetscape landscaping;
- (j) Vehicle and pedestrian networks;
- (k) Consistency with any relevant structure plan or master plan included in the plan, including the provision of neighbourhood parks, reserves and neighbourhood centres; and
- (l) Avoidance or mitigation of conflict with gas transmission infrastructure and the ability to inspect, maintain and upgrade the infrastructure; and
- (m) Provision for new infrastructure and the operation, maintenance, upgrading and development of existing infrastructure including water supply for firefighting purposes.

Amended Sought by Submitter

SUB-R11 Subdivision – general

(1) Activity status: RDIS

Activity specific standards:

- (a) **Despite SUB-R11A**, Subdivision shall comply with all of the following:
 - (i) Proposed lots must have a minimum net site area (excluding access legs) of 450m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;
 - (ii) Proposed lots must be able to connect to public-reticulated water supply and wastewater;
 - (iii) Where the subdivision is within a structure plan area, neighbourhood centres within the site are provided in accordance with that structure plan document.

Council's discretion is restricted to the following matters:

- (b) Subdivision layout including the grid layout of roads and the number of rear lots;
- (c) Shape of lots and variation in lot sizes;
- (d) Ability of lots to accommodate a practical building platform including geotechnical stability for building;
- (e) Likely location of future buildings and their potential effects on the environment;
- (f) Avoidance or mitigation of natural hazards;
- (g) Amenity values; and
- (h) Potential for reverse sensitivity effects;
- (i) Streetscape landscaping;
- (j) Vehicle and pedestrian networks;

(k) Consistency with any relevant structure plan or master plan included in the plan, including the provision of neighbourhood parks, reserves and neighbourhood centres; and

(l) Avoidance or mitigation of conflict with gas transmission infrastructure and the ability to inspect, maintain and upgrade the infrastructure; and

(m) Provision for new infrastructure and the operation, maintenance, upgrading and development of existing infrastructure including water supply for firefighting purposes

New Rule Sought by Submitter

SUB-R11A Subdivision - Medium density residential

(1) Activity status: RDIS

Activity specific standards:

(a) the site, or combination of sites, where the medium density residential development is proposed to be located has a minimum net site area of 2ha; and

(b) where the subdivision application is accompanied by a land use application that will be determined concurrently; and

(c) a master plan is provided

(2) All lots created have a minimum net site area (excluding access legs) of 200m² for detached residential units, or minimum area of 150m² for attached residential units

Council's discretion is restricted to the following matters:

- Subdivision layout; and

- Provision of infrastructure

- Streetscape landscaping

Notification

Any application for a subdivision consent under this rule will be considered without public or limited notification.

PART 3: AREA-SPECIFIC MATTERS / ZONES / RESIDENTIAL ZONES / GENERAL RESIDENTIAL ZONE

Text in Variation 3

GRZ-O1 Residential character.

The low-density residential character of the zone is maintained

Amended Sought by Submitter
GRZ-O1 Residential character. <i>Residential character is maintained</i>

Text in Variation 3
GRZ-P3 Setback side boundaries. (1) Require development to have sufficient side boundary setbacks to provide for: (a) Planting; (b) Privacy; and (c) Sunlight and daylight. (2) Reduced side boundary setbacks occur only where it: (a) Enables effective development of sites where on-site topographic constraints occur; or (b) Retains trees on the site.
Amended Sought by Submitter
GRZ-P3 Setback side boundaries. (1) Require development to have sufficient side boundary setbacks to provide for: (a) Planting; (b) Privacy; and (c) Sunlight and daylight. (2) Reduced side boundary setbacks occur only where it: (a) Enables effective development of sites where on-site topographic constraints occur; or (b) Retains trees on the site; <i>or</i> <i>(c) is proposed as part of medium density residential development</i>

We envision that all necessary consequential amendments across the Proposed Waikato District Plan will be identified and performed by the Waikato District Council should the noted amendments to the specific provisions in the above tables are accepted.