

Introduction

Waikato District Council has prepared the Proposed Waikato District Plan (Stage 1) (Proposed Plan (Stage 1)) and is now open for submission.

The Proposed Plan (Stage 1) is a review of the current Operative Waikato District Plan (Operative Plan). Following the local government boundary changes in 2010, the Operative Plan has consisted of a Waikato section and a Franklin section. The Proposed Plan (Stage 1) combines the Waikato and Franklin sections into a single district plan with an integrated approach to growth, development and the sustainable management of natural and physical resources across the district.

The Proposed Plan (Stage 1) relates to all chapters arising from the review of the Operative Plan except for the provisions for Natural Hazards and Climate Change.

The preparation of draft provisions for the Natural Hazards and Climate Change chapter is awaiting the completion of technical reports relating to flooding from rivers and coastal inundation and erosion. Consultation on Natural Hazards and Climate Change will be undertaken during the rest of 2018. It is anticipated that the review of the Operative Plan relating to Natural Hazards and Climate Change will be notified as Stage 2 in 2019.

For help on how to make a submission using this page [click here to watch our "how to" video](#)

Privacy Statement

The Resource Management Act 1991 requires submissions and details of the submitter (name and contact details) to be made available to the public. Your contact details are needed:

- to enable any further submitter to serve a copy of their further submission on you;
- for Council to arrange a hearing date and time for you to speak to the Hearing Panel (if you ask to be heard on your submission);
- so Council can inform you of the decision(s) on your submission(s); and
- so any submitter who appeals Council's decision on a matter relevant to your submission can provide a copy of their appeal to you

First Name:

Andrew

Last Name: *

Wood

Organisation:

CKL

On behalf of:

Postal Address:

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Suburb:

City:

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Country:

New Zealand

PostCode:

3240

Preferred method of contact

- Email Postal

Would you like to present your submission in person at a hearing?

- Yes
 I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

Attached Documents

File
B18034 - PDP Submission FINAL 09-10-18
B18034 - PDP Submission - Planning Statement 09-10-18
B18034 Application Plan Rev2

Plan Section	Support/Oppose	Decision Requested	Reason for Decision Requested
<p>Horotiu Properties Limited (HPL) seeks the following decision from Waikato District Council:</p> <ul style="list-style-type: none"> ▪ The amendments and changes set out in the table below are accepted; and ▪ Any consequential amendments necessary as a result of the amendments to grant the relief sought above <p>HPL wishes to be heard in support of its submission.</p> <p>If others make a similar submission, HPL will consider presenting a joint case with them at the hearing.</p>			
<p>Maps: Hamilton Environs 26, Horotiu 26.1.</p>	<p>Oppose</p>	<p>Change zoning of the property legally described as Lot 5 DP 513666 held within CFR 794528 owned by HPL from rural zone to village zone.</p>	<p>The zoning of these properties for large lot residential development which would be enabled under the Village Zone is consistent with the Future Proof settlement pattern which specifically identifies Horotiu as a growth centre.</p>
<p>4.1.5 Policy - Density</p>	<p>Oppose</p>	<p>Amend as follows: <i>c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided.</i></p>	<p>It is feasible that the development in the Village Zone could be serviced by reticulated services that are privately owned and managed (i.e. community scale). The policy should not be limiting to only publicly owned infrastructure networks.</p>
<p>4.3.3 Policy – Future Development – Te Kowhai and Tuakau Village Zone</p>	<p>Oppose in part</p>	<p>Remove reference to Te Kowhai and Tuakau and instead refer to the Village Zone generally. Include consequential amendments to text elsewhere in the Plan.</p>	<p>The policy wording should be relevant to the Village Zone direction, not area specific directions. The Village Zone could apply in areas beyond Tuakau and Te Kowhai where this policy should be relevant.</p>
<p>14.3.1.8 P12 Service connections for subdivision</p>	<p>Oppose</p>	<p>Amend as follows: <i>2) Rule 14.3.1.8(1)(a) does not apply to any allotment that is serviced by a site-contained</i></p>	<p>In some situations, water supply for an allotment will be from roof water harvesting or bore and will not be provided by a service connection at the boundary. Like the Rural and</p>

		<p>wastewater system in accordance with Rule 14.11.1.3; <u>and Rule 14.3.1.8(l)(b) does not apply where reticulated water supply is unavailable.</u></p> <p>3) Within all zones, except the Rural, <u>Village</u> and Country Living Zones, the water supply required under Rule 14.3.1.8(l)(b) must be adequate for fire fighting purposes.</p>	Country Living Zones, water supply in the Village Zone may not be pressurised.
14.11.1.3 P3 Wastewater servicing for new development or subdivision	Support	Retain (a)(ii) which allows for connections to community-scale wastewater systems.	To allow for a range of waste water solutions to be considered at the time of subdivision or development.
Table 14.12.5.14 Access and road conditions	Oppose in part	<p>Amend the minimum access width for the Village and Residential Zones as follows:</p> <ul style="list-style-type: none"> ▪ 1 to 4 lots = 3.6m ▪ 5 to 8 lots = 4.5m <p>Consequential amendments to the carriageway and pavement widths are required.</p>	The proposed access widths are excessive and will result in inefficient use of land.
24.2.4.1 Earthworks – general	Oppose	Delete P1(a)(i), and P3(a)(iv)	Earthworks within 1.5m of a boundary are inevitable and even the most minor activities such as digging a posthole would trigger a requirement for resource consent.
24.3.5 Building Coverage	Oppose	<p>Amend as follows:</p> <p><i>P1 On a lot connected to <u>public reticulated wastewater and a water supply</u>, the total building coverage must not exceed 40%.</i></p>	It is feasible that the development in the Village Zone could be serviced by reticulated services that are privately owned (i.e. community scale). The policy should not be limiting to only publicly owned infrastructure networks. The Village Zone anticipates lots at 3,000m ² which can be

		<i>P2 On a lot not connected to public <u>reticulated</u> wastewater and a water supply, the total building coverage must not exceed 20%.</i>	self-sufficient or 1,000m ² if urban infrastructure is provided.
24.3.6.1 Building setbacks – all boundaries	Oppose	Delete P3	There are instances when it is appropriate to locate the garage forward of the front façade of the dwelling.
24.3.6.3 Building setback – Waterbodies P1(a)	Oppose in part	Amend as follows: <i>P1 (a) A building must be setback a minimum of 30m:</i> <i>i) from the margin of any:</i> <i>A Lake <u>with a bed area of 8ha or more</u></i> <i>B Wetland <u>with an area greater than 1ha</u>; and</i> <i>C River bank other than the Waikato River and Waipa River <u>whose bed has an average width 3m or more.</u></i>	Building setbacks from lakes should be to protect buildings from flood risk (covered by other rules) or alternatively large lakes which could potentially one day require space for esplanade purposes (i.e. a 20m wide strip plus a buffer). The current wording places unjust setback requirements from private, onsite and often artificial ponds/waterbodies.
24.4.2 Subdivision – Te Kowhai and Tuakau Village Zone	Oppose in part	Remove reference to Te Kowhai and Tuakau and instead refer to the Village Zone generally. Include consequential amendments to text elsewhere in the Plan.	The current rule wording is exclusive to the notified village zone areas only which is subject to change.
24.4.2 Subdivision – Te Kowhai and Tuakau Village Zone RD1			
24.4.2 Subdivision – Te Kowhai and Tuakau Village Zone RD2			

24.4.4 Subdivision – Amendments to cross lease and flats plans and conversions	Oppose	Amend as follows: C2 (a) Amendment or update to a cross lease flats plan including additions or alterations to any buildings and any areas for exclusive use by an owner or owners.	A change to an exclusive use area is not deemed to be a subdivision under s218 of the RMA and is not able to be controlled by Council as it is a private covenant.
24.4.9 Road Frontage	Oppose	Amend RD1 as follows: a) <u>Every proposed lot must have at least 20m frontage to a road boundary, except where the proposed lot is an access allotment, utility allotment or a right of way or access leg is provided.</u>	Improve wording.
24.4.10 Subdivision – Building Platform	Oppose	Amend RD1 as follows: a) <u>Every proposed lot, other than a new lot specifically for access, utility allotment & access allotment an access allotment, utility allotment or reserve allotment, must be capable of containing a building platform...</u>	Improve wording and include reserve allotments.
In the alternative:		Rezone the HPL land (Lot 5 DP 513666 held within CFR 794528) to Residential	The full residential zoning of this land is consistent with the zoning of land on the western side of Waikato River at Horotiu. It is also consistent with proposals for expansion of development within the proposed Auckland to Hamilton Corridor. The submitter acknowledges that rezoning to Residential would require the provision of urban infrastructure.
In the alternative:		Rezone the HPL land (Lot 5 DP 513666 held within CFR 794528) to Country Living Zone	Country Living Zone is consistent with nearby land zoned for residential purposes and would be considered by the submitter as an

			alternative to the Village Zone or Residential Zone should these not be supported.
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Horotiu Properties Limited

Submission to Waikato District Council Proposed District Plan

Supporting Planning Statement

Introduction and Site Description

This submission is made on behalf of Horotiu Properties Limited. The submission relates to the land holding owned by the submitter Horotiu Properties Limited (HPL) at Sullivan Road, Horotiu. The site subject to this submission is legally described as Lot 5 DP 513666 held within computer freehold register 794528 (the HPL land) as shown in Figure 1. The property is a 7.5364 ha site currently leased for small scale grazing purposes only. HPL is both the landowner and submitter. HPL has owned the subject site since 2005.

The site is roughly rectangular in shape and is bounded by Sullivan Road on its northwest boundary, River Road on its northeast boundary, Horotiu Bridge Road on its southeast boundary and two rural-residential properties on its southwest boundary. The site was previously subdivided to create the rural residential properties on the southwest side.

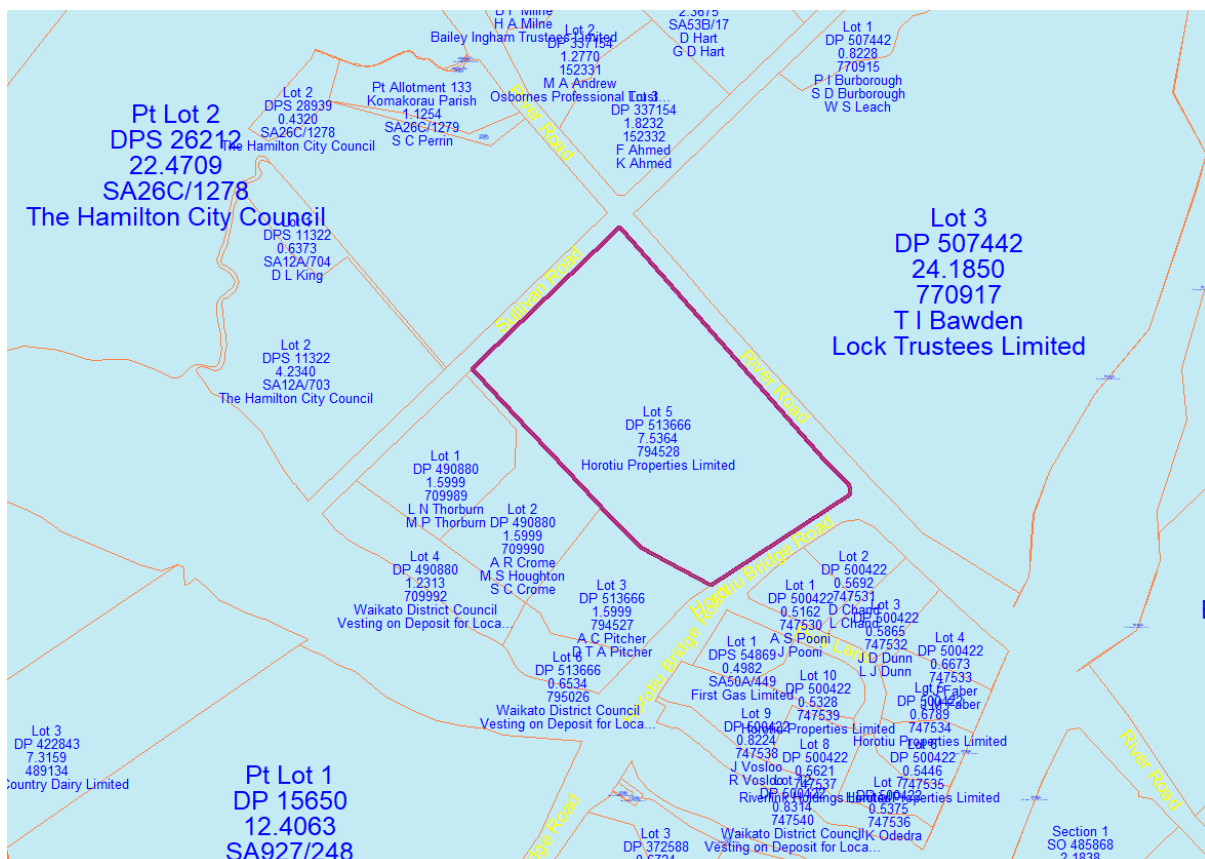


Figure 1 – Site location map with HPL land delineated in purple



Submission

This submission on behalf of HPL seeks resolution from Waikato District Council (WDC) to rezone the subject site from Rural Zone to Village Zone under the Proposed Waikato District Plan (PDP). This submission opposes the Rural Zone being applied to the site (as outlined in Figure 2). The corresponding maps, rules and provisions of the PDP which are specifically submitted on are outlined within the enclosed table.

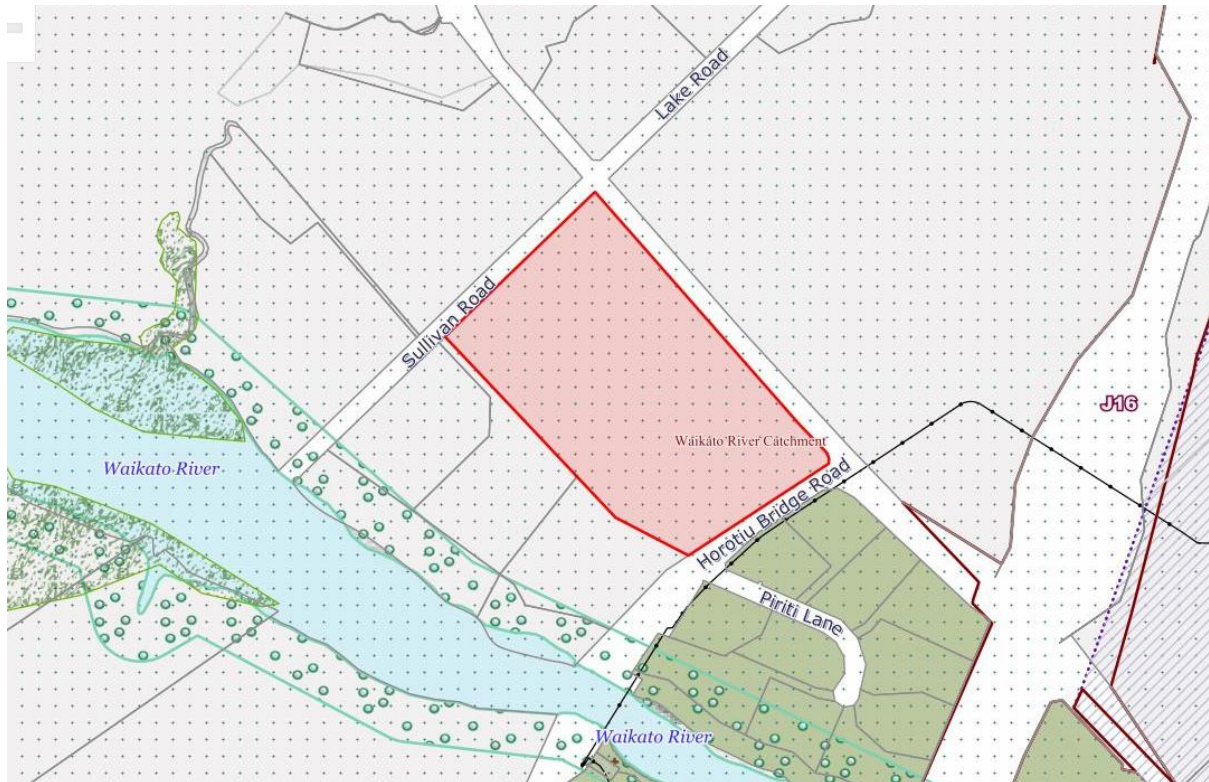


Figure 2 - Proposed District Plan zone map with HPL land delineated

Should WDC not support to rezone the subject site Village Zone, in the alternative the submitter proposes to rezone the HPL land to Residential Zone. Should WDC not support to rezone the HPL land Residential Zone, in the alternative the submitter proposes to rezone the HPL land to Country Living Zone.

The submission is proposed because the site is not considered suitable to be maintained within the Rural Zone. The primary reason is that the HPL land is not a productive use of rural land which is the primary objective and purpose of the Rural Zone. The HPL land is simply too small and does not contain appropriate infrastructure in which it could be considered a productive rural property. The site is a balance lot resulting from previous subdivision (enabled by a previous District Plan) with prominent physical constraints meaning it cannot grow nor support any practicable rural productive activity. The HPL land is considered to be unique for the following reasons:

- The HPL land is bounded by roads on three sides, two of them being arterial routes in the Operative and Proposed District Plans. These roads place significant constraints on property access and the ability to expand to the landholding, therefore further ruling out the ability to enable productive rural activities;
- The HPL land has a unique topography comprised of approximately 60% flat land with the remaining land in moderately sloping topography (gradients of 1:3 – 1:4) down to an artificial

watercourse (lake). Therefore, approximate 40% of the small 7.5364 ha site is already restricted in its suitability for productive rural uses;

- Beyond the adjoining rural-residential properties to the southwest is the Waikato River. The property simply cannot be expanded as a rural productive property or activity;

Due to the constraints above, the property is significantly compromised in its ability to function as a productive rural property. HPL as the landowner and submitter does not consider there to be any practicable productive use of the property that can be considered appropriate given the site constraints and its impeded ability to function as a productive rural property. Whilst the property can support rural activities considered to have a productive use of the land and soil resource, the physical constraints render the property as incapable of being able to be used for productive purposes in an economic context. The property is an oversized lifestyle block with no productive rural activity being deemed practicable with the exception of establishing a single residential dwelling as a permitted activity. Any intensive rural activity with the intention of being productive both in a soil resource and financial context on the HPL land is not considered appropriate as it would be deemed an intensive farming activity, require resource consent, and have significant non-compliance with the District Plan provisions due to its proximity to residential activities and non-rural zoned land.

The site is on the periphery of Horotiu village and therefore can be considered an appropriate location for urban expansion which is consistent with objectives and policies of the relevant planning documents and growth being focussed around existing towns and villages.

Actual and Potential Effects of the Proposed Submission – Village Zone

The submission primarily seeks to rezone the HPL land to Village Zone. This would enable subdivision and development for activities enabled within the Village Zone, which anticipates predominantly residential activities with a minimum net site area of 3,000m² per site. The provision of reticulated infrastructure could enable development to a net site area density of 1,000m² per site in the Village Zone if available in future. The proposed resolution would result in approximately 13 village lots of varying sizes with two main points of access being enabled (based on a minimum net site area of 3,000 m²). A plan depicting a concept Village Zone subdivision is enclosed with this submission. The actual and potential effects of the proposed submission can be appropriately considered by Council through the District Plan review process which appropriately enables relevant parties to make further submissions on this submission either in support or against. Consideration of actual and potential effects on the environment resulting from the proposed submission to rezone the land to Village Zone are outlined in the table below.

Potential effect	Commentary
Soil productivity, the efficient use of rural land	The subject site contains a mixture of soil classes with approximately 60% of the site being considered flat land with better quality land use capability. The remainder of the site is constrained by its size, slope, and the presence of an artificial watercourse which restrict the productive capacity of the soil. The HPL land therefore does not contain a large amount of high quality soil that would be lost for unproductive rural uses.

	<p>If the site was in the Village Zone, a larger number of buildings (dwellings) would be enabled. Whilst this would remove soil from productive use, it has been demonstrated that the productive capacity of the site is significantly restricted and cannot practicably be utilised as a productive rural property for any net financial gain. Dwellings will provide for a better utilisation of this site and the land with the only potential loss of soil productivity being a reduced number of grazing animals, notwithstanding whether any future residential activities would accommodate grazing animals.</p> <p>The net loss of productive soil is considered negligible when considering the size and constraints of the property. The productive potential of the HPL land and soil is already significantly compromised. Furthermore, there is no ability to amalgamate or operate the HPL land as part of a wider rural activity which could render any productive rural activity as economically viable.</p> <p>The use of the site for housing (acknowledging this is a likely end use with Village Zone and it is not the only permitted activity) is considered to be a more efficient use of the subject site and its soil resource. The sustainable management of the existing soil resource for productive rural activities is not economically or practicably viable.</p> <p>The general area and its soil resource has already been significantly compromised due to previous subdivision and zoning which enables development. Land to the north and east of the property is protected from intensification and is more appropriate to retain a rural zone for the foreseeable future.</p>
<p>Natural resources</p>	<p>The proposed submission will not constrain any existing lawfully established productive rural activity.</p> <p>The HPL land has not been identified as containing any significant natural resource, natural feature or other feature of interest on the Planning Maps in either the ODP or PDP.</p> <p>A more efficient use of the soil resource through management of multiple titles together is not feasible based on the physical constraints on the property and the nature of the adjoining land ownership.</p>

<p>Landscape, rural character and amenity;</p>	<p>Based on the sites proximity to the Waikato River and existing large lot residential development, the subject site exhibits relatively high residential character and amenity values in an area contiguous with and collectively considered to be dominated by large lot residential development. The character and amenity values of the site are influenced by the Waikato River, the adjoining arterial roads, the Waikato Expressway, and the existing large lot residential development.</p> <p>Land on the western side of the River does not exhibit the same level of character and amenity values when considering large lot development.</p>
<p>Transport</p>	<p>It is anticipated that appropriate transport infrastructure can be provided to enable development consistent with the Village Zone. Several points of access potentially exist and these can be rationalised, noting they will be subject to expert recommendations on location and formation as part of any detailed development proposal.</p> <p>The site has an existing formed crossing to River Road which has complying sight distances in both directions along the road. The site has extensive frontage to Sullivan Road which is a lesser road in the road hierarchy and also available for access.</p>
<p>Strategic considerations</p>	<p>The HPL land is not explicitly identified within the existing urban limits of Horotiu Village. However, the site is on the fringe of the village and the proposed rezoning within the village itself. The HPL land is contiguous with existing country living zone land and a relatively large number of rural residential properties within the country living and rural zones.</p> <p>The proposed rezoning does not conflict with adjacent, surrounding or nearby uses. The HPL land is considered to be complementary to and compatible with existing high amenity rural residential environment.</p> <p>The Future Proof Hamilton to Auckland Corridor Study (2012) identified Horotiu as a rural village with a residential density of 8-10 dwellings per hectare (with reticulated infrastructure). This is consistent with enabling a village zoning not currently proposed in Horotiu. Substantial industrial growth is anticipated within the village however the density targets are not provided for</p>

	and land for housing is required. The HPL land provides a high amenity residential environment site in close proximity to future employment opportunities. The HPL land does not constrain any existing or planned infrastructure and could be further developed if reticulated infrastructure was available or proposed in the future.
Infrastructure	The proposed Village Zone enables lot sizes which are self-sufficient with regard to water supply, stormwater and wastewater disposal. The proposed Village Zone enables interim development without full urban infrastructure. No adverse effects on existing or planned infrastructure is anticipated.
Positive effects	<p>The rezoning of the site will result in a more efficient use of the HPL land which is currently an underutilised rural zoned site with a significantly restricted ability to expand.</p> <p>The rezoning of the site will provide a significant economic wellbeing to the landowner as well as enabling additional housing in an appropriate location. The economic wellbeing of Council will be enhanced through the provision of additional development contributions and rates.</p> <p>A sustainable addition of housing units will be provided over and above that otherwise anticipated. This will provide much needed demand and variety of product onto the market in an appropriate location.</p> <p>The HPL land is appropriately located in close proximity to the existing Horotiu village.</p> <p>The rezoning will enable a scale of built form which is consistent with the surrounding environment.</p>

Concept Subdivision

Concept subdivision plans have been prepared which depict an option for a Village Zone subdivision of the HPL land. The concept plan demonstrates how the site can accommodate an appropriate scale of Village Zone development in general accordance with the expected outcomes of the Village Zone, in particular regarding density, size and shape.

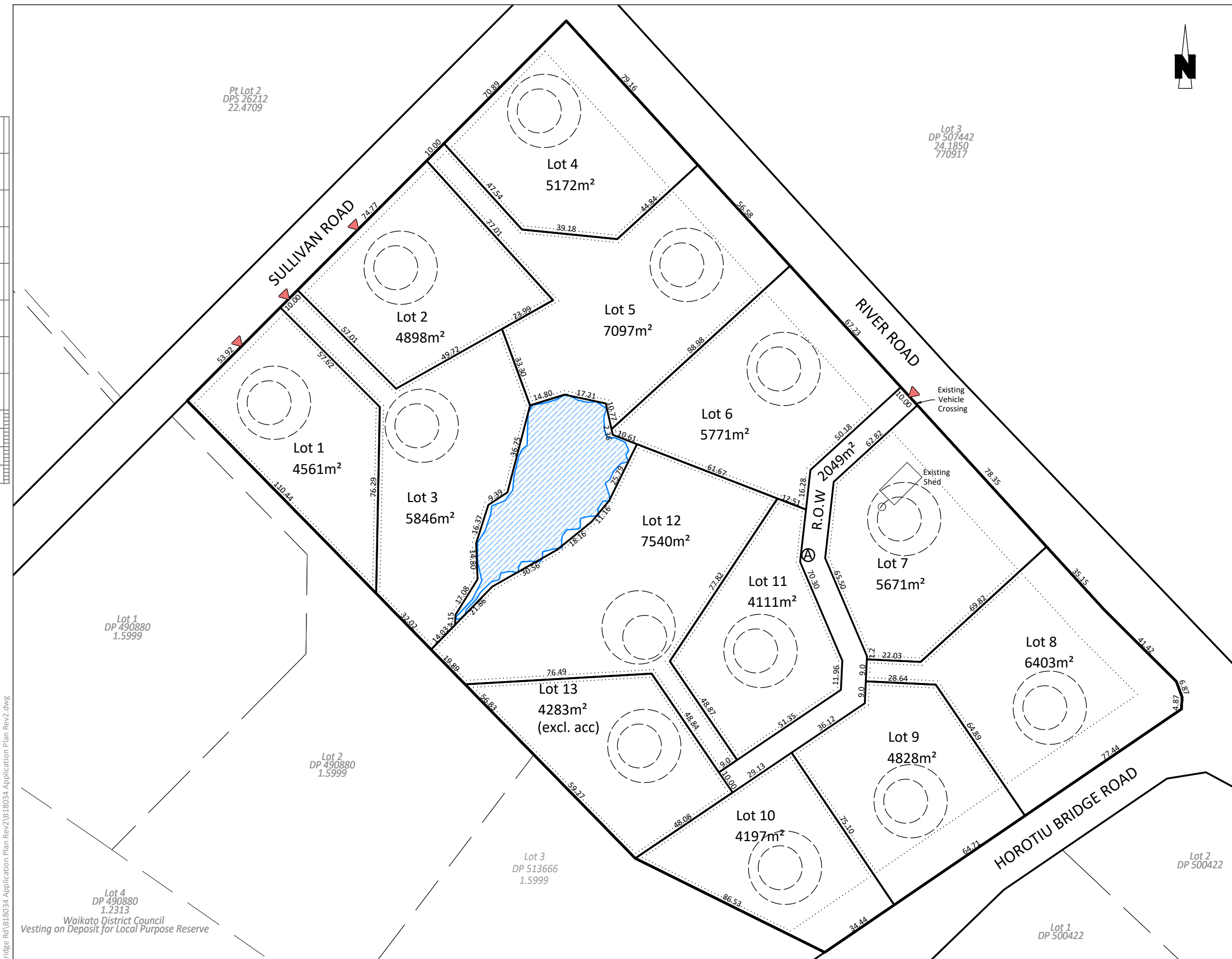
Conclusion

HPL seek to rezone the HPL land from Rural to Village Zone. The amendments and changes to the PDP are outlined above and in the enclosed table. HPL seeks that the amendments and changes set out be

accepted by WDC. HPL seek any consequential amendments necessary as a result of the changes to grant the relief sought by the rezoning.

In the alternative, HPL seek to rezone the HPL land to Residential Zone or Country Living Zone.

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



Applicant: Horotiu Properties Limited
Comprised In: CFR 794528
Local Authority: Waikato District Council
Total Area: 7.5364ha

PROPOSED EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way, Right to Convey Gas, Water, Electricity and Telecommunications and to Drain Water and Sewage.	(A)	Lot 13 hereon	Lots 6-12 hereon


- Key:**
- 30mØ Shape Factor Circle With 18mØ Building Platform
 - Building Setback Lines 15m from River Road & Horotiu Bridge Road Boundary. 3m from Sullivan Road Boundary. 1.5m from Rear & Side Boundaries
 - Indicative Access

Note: Access width does not comply with Operative District Plan.

- Notes:**
- Changes may occur to the layout of the proposal shown as a result of the Resource Consent Conditions.
 - Areas and dimensions on this plan may be subject to change following field survey.
 - The copyright and intellectual property rights for the information shown on this plan remain the property of CKL Surveys Ltd.
 - This plan has been prepared only for the purpose of illustrating an application for resource consent. It should not be used for any other purpose.

CONCEPT

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Auckland Office:
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Hamilton Office:
 A: 58 Church Road, Hamilton
 P: 07 849 9921
Te Awamutu Office:
 A: 103 Market Street, Te Awamutu
 P: 07 871 6144

Prepared for
Horotiu Properties Limited

VILLAGE ZONE CONCEPT OF
Lot 5 DP 513666
(River Road, Horsham Downs)

Issue	Description	Checked	Date	Date	Scale:
				Designed: AW	11.06.18
				Drawn: ES	11.06.18
				Checked: AW	03.10.18
				Job No:	Dwg No: Rev:
				B18034	150 2



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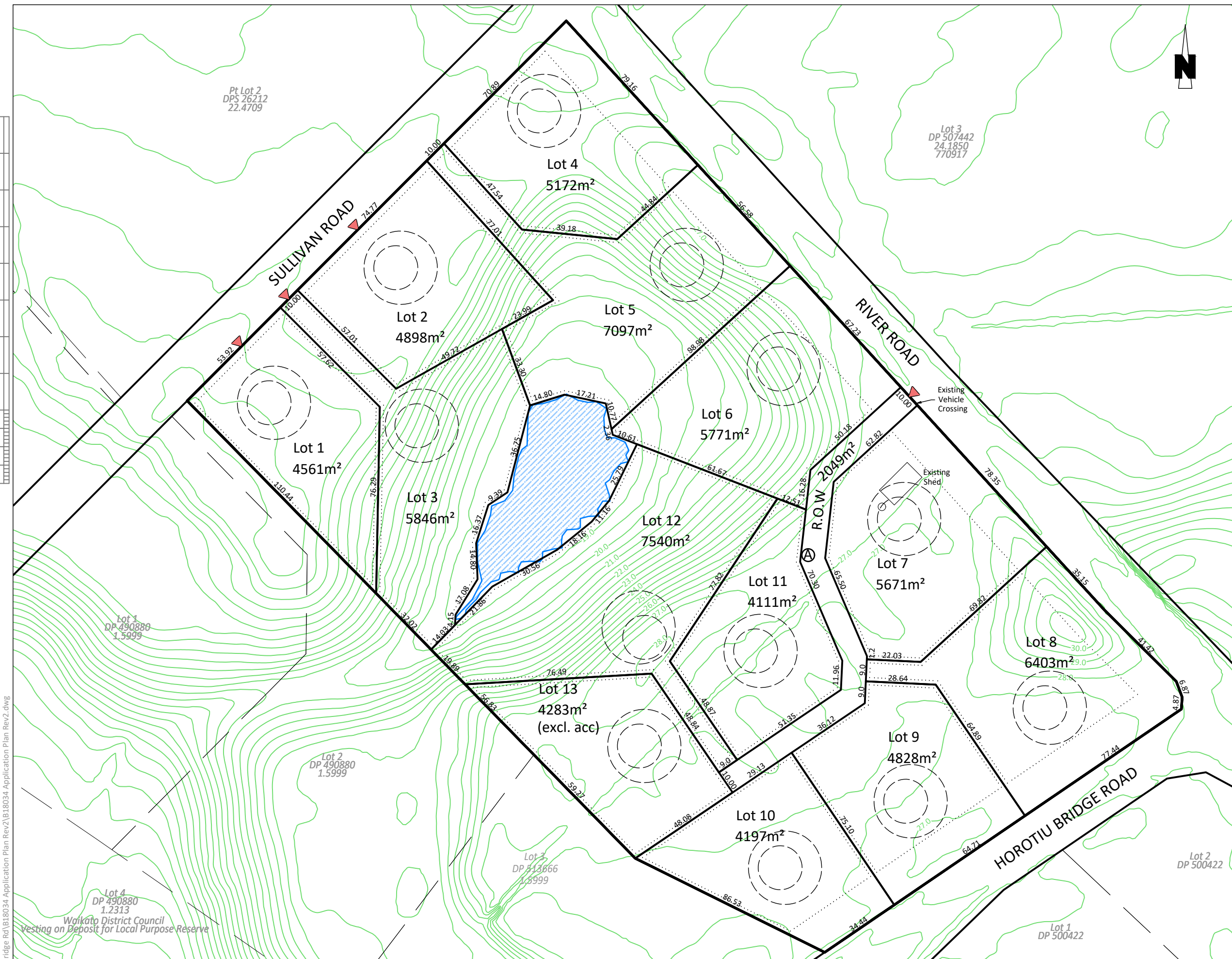


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Applicant: Horotiu Properties Limited
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			Designed: AW 11.06.18	1:1500 (A3 Original)	
			Drawn: ES 11.06.18		
			Checked: AW 03.10.18		
			Job No: B18034	Dwg No: 152	Rev: 2