

2 September 2018

Hamilton City Council
City Planning Unit
Private Bag 3010
Hamilton 3240

Via email: districtplan@hcc.govt.nz

Re: Submission on Hamilton City Council (HCC) Plan Change 6

1. Introduction

- 1.1 Property Council New Zealand's Waikato Branch (Property Council) welcomes the opportunity to submit on Hamilton City Council's (HCC) Plan Change 6. We sought and received feedback from a selection of our Waikato-based members.
- 1.2 Property Council is a member-led, not-for-profit organisation representing New Zealand's commercial, industrial and retail property owners, developers and professional service providers such as architecture, engineering, planning and construction firms.
- 1.3 Property Council's Waikato Branch has 101 businesses as members. The property sector contributes \$2.6b or 13 per cent of GDP in the Waikato area and employs 13,980 people. That makes it the region's second largest economic sector.
- 1.4 Property Council members design, develop and own the buildings that house the businesses, communities and people of Waikato. Our primary goal is the creation and retention of well-designed, functional and sustainable (including economically) built environments which contribute to New Zealand's overall prosperity. We support city's that provide a framework to enhance economic growth, development, liveability and growing communities.

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Rule	Support / Oppose	Reasons	Relief Sought
4.3.1(a) – activity status table	Support in Part	<p>The proposed amendments will reduce the number of consent applications for residential units which will reduce compliance cost and assist with provision of affordable housing.</p> <p>In practice it will likely make it easier/faster to develop at a higher density in the General-Residential Zone than the Medium Density Zone. For example, up to three residential units are permitted on a site in the General-Residential Zone compared to the Medium-Density Residential Zone where on single dwelling is a permitted activity, or a duplex dwelling and Land Development process must be followed as restricted discretionary activity before development can occur.</p> <p>Requiring resource consent (RD) for duplex development on a front site is important to ensure residential character and amenity of established neighbourhoods can be managed, however they should be permitted when they are located behind a single detached dwelling.</p> <p>The proposed changes to the Medium-Density Residential Zone will result in the zone not being able to live up to its name, as there is much more complex process involved in developing Medium-Density Residential Zone than the General Residential Zone.</p>	<p>Proposed amendment as follows:</p> <p><u>iv) One duplex dwelling on a front site located wholly behind the rear building line of a single detached dwelling.</u></p> <p><u>v) 4 or more...</u></p>
4.4.1(a) (v) – density	Oppose	<p>It is not clear why the average net site area requirement has been deleted. Apartments above ground floor do not have a land area, therefore an average net site area requirement is appropriate.</p>	<p>Retain existing average net site area requirements.</p>

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4.4.3 – permeable surface	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment
4.4.5 – height to boundary	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment
4.4.6 – Internal access	Oppose	There should be no building setback requirement from an internal access, regardless of the number of residential units it serves.	Reject building setback requirements to an internal access.
4.4.6 – building setbacks	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.
4.4.7 – interface between public and private	Oppose	The amendment could result in poor urban design outcomes.	Reject changes.
4.4.8 – fences and walls	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.
4.4.10 – outdoor living area	Support in part	<p>The amendment with respect to north-facing outdoor living areas will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.</p> <p>It is not clear why there needs to be an increase in the outdoor living areas for units of more than two bedrooms in the Residential Intensification Zone.</p>	<p>Retain proposed amendment in relation to location of outdoor living areas.</p> <p>Delete change in relation to area requirement for two-bedroom dwellings in the RIZ.</p>

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4.4.11 – service areas	Support in part	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.
4.4.12 – residential unit sizes	Oppose	It is not clear why an additional definition is required for “indoor living area” and why this needs to be controlled for units with three or more bedrooms.	Provide a floor area requirement for three or more bedrooms without reference to “indoor living area”.
4.7.11 – integrated residential developments	Support	The amendment will assist with the goal of achieving a compact city.	Retain proposed amendment.
Appendix 1.1.2 “IRD”	Support	The amendment will assist with the goal of achieving a compact city.	Retain proposed amendment.
Chapter 5 General Observation	Oppose	The proposed changes by REEP will result in disparity between Chapters 4 and 5. Unless there is good reason; provisions should be standardised to aid with administration of the district plan. E.g. standards for outdoor living areas, service areas etc.	Amend Chapter 5 to align development controls where appropriate with those in Chapter 4.
6.3.1 – activity status table	Support	The proposed amendments will make it easier to establish gymnasiums in business zones.	Retain proposed amendment.
6.4.7 c) d) – residential development	Support	The amendment will make the rule easier to administer.	Retain proposed amendment.

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6.4.7 e) – outdoor living	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.
6.4.7 g) – residential unit size	Oppose	It is not clear why an additional definition is required for “indoor living area” and why this needs to be controlled for units with three or more bedrooms.	Provide a floor area requirement for three or more bedrooms.
7.3 b), 7.5.7 – alterations and additions	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents for alterations and extensions.	Retain proposed amendment.
7.4.2 – building intensity	Support	Building intensity does not need to be controlled in the Central City Zone.	Retain proposed amendment.
7.4.3 – maximum height control	Support	There has been a little uptake of the building height bonus system. Reducing controls on building height in the Central City Zone will aid with the goal of achieving a compact city.	Retain proposed amendment.
7.4.4 – through site links	Oppose	The rule only anticipates a through site link to be in the form of a 2.8m wide separately defined walkway. The rule should allow for well-designed shared spaces for both pedestrians and vehicles.	Amend requirements in a) i) & ii) to allow a through-site link to be in the form of a shared pedestrian and vehicle space.
7.4.13 – active frontages	Oppose	The “note” potentially makes the clear glazing requirements superfluous and could result in poor urban design outcomes in the Central City Zone.	Reject proposed amendment.
7.4.14 – veranda cover	Support	The amendment will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.

Rule	Support / Oppose	Reasons	Relief Sought
7.5.3 a) b) & c) – residential density	Support	The amendments will aid with the interpretation of the rule.	Retain proposed amendment.
7.5.3 d) – outdoor living	Support in part	The amendment with respect to north-facing outdoor living areas will make the rule easier to administer and reduce the occurrence of minor resource consents due to minor infringements.	Retain proposed amendment.
9.3 – activity status table	Support	The proposed amendments will reduce the number of consent applications for industrial buildings which will reduce compliance costs and make Hamilton a more attractive place to establish business and industry.	Retain proposed amendment.
9.5.3 – buildings on sites adjoining major arterial transportation corridors	Support	The proposed amendments will assist with good urban design outcomes on key transportation routes.	Retain proposed amendment.
9.3.3 – comprehensive development plans	Support	Removal of CDP provisions are appropriate given case-law on this matter.	Retain proposed amendment.
9.4.1– building setbacks	Support	Reducing the building setback will assist with achieving efficient use of industrial land.	Retain proposed amendment.
9.4.7	Oppose	“Outdoor storage” is not a defined term, although it could potentially include yard-based retailing activities such as car, boat and heavy machinery sales. Subsection d) would limit these	Amend to ensure yard-based retail is not precluded from establishing under these rules.

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		activities, which could reasonably be expected adjacent to a major arterial road.	
23.2.6	Oppose	<p>The District Plan should be tenure-neutral, as a range of options (fee simple, leasehold, unit titles) can all enable good development.</p> <p>Reference to ‘appropriate’ tenure and ‘appropriate’ management structures is too broad and vague, and will lead to significant uncertainty in the application of the District Plan.</p>	Reject proposed amendment.
23.3	Support in part	<p>Fee simple subdivision of apartments can be an appropriate tenure. The activity status should be Restricted Discretionary.</p> <p>It is also noted that the term “apartments” is not defined in the Plan and the definition of “apartment buildings” could include single level developments entirely suitable for fee simple tenure.</p>	Retain proposed amendment, provided that fee simple subdivision of apartments should be Restricted Discretionary.
23.6.4	Support	Cross lease conversions to fee simple should be enabled.	Retain proposed amendment.
23.7.1	Support	Deletion of average minimum net site area requirements will assist with achieving a compact city.	Retain proposed amendment.
23.7.2	Support	The amendment will make the rule easier to administer.	Retain proposed amendment.
23.7.3	Oppose in part.	<p>(e) and (f) and (g) should be aligned as it should not matter whether an access serves fee simple or unit titles. If up to 20 units is suitable for unit titles, this should also be suitable for fee simple.</p> <p>Limiting a private way to only 6 fee simple lots and requiring public roads to vest can lead to inefficient use of land, sprawl and increase Council’s long-term maintenance costs.</p>	<p>Retain proposed amendment in relation to private way length and number of private ways accessing a cul-de-sac.</p> <p>Reject other changes.</p>

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		An amendment to private way length and number of private ways accessing a cul-de-sac is supported.	
23.7.4	Oppose	<p>Limiting a private way to only six lots and requiring public roads to vest can lead to inefficient use of land, sprawl and increase Council's long term maintenance costs.</p> <p>It is not clear what the rationale is for requiring roads serving more than 20 lots to be collector standard and have a minimum width of 23m. This does not assist with goals of achieving a compact city and will increase Council's long-term maintenance costs.</p> <p>Amendments to the number of private ways accessing a cul-de-sac are supported.</p>	<p>Retain proposed amendment in relation to private way length and number of private ways accessing a cul-de-sac.</p> <p>Reject other changes.</p>
23.7.5	Oppose	<p>(c) and (d) and (e) should be aligned as it should not matter whether an access serves fee simple or unit titles. If up to 20 units is suitable for unit titles, this should also be suitable for fee simple.</p> <p>Limiting a private way to only six fee simple lots and requiring public roads to vest can lead to inefficient use of land, sprawl and increase Council's long-term maintenance costs.</p> <p>It is not clear what the rationale is for requiring roads serving more than 20 lots to be collector standard and have a minimum width of 23m. This does not assist with goals of achieving a compact city and will increase Council's long-term maintenance costs.</p>	Reject changes.



2. Conclusion

- 2.1 Property Council supports some of HCC's proposed amendments to Plan Change 6. However, we are concerned with changes that may lead to inefficient use of land and land sprawl.
- 2.2 Property Council wishes to thank HCC for the opportunity to submit on Plan Change 6. Any further queries do not hesitate to contact Katherine Wilson, Senior Advocacy Advisor via email katherine@propertynz.co.nz or cell 027 8708 150.

Yours sincerely,

A handwritten signature in black ink on a light-colored rectangular background, reading "Brian Squair".

Brian Squair
Waikato Branch President
Property Council New Zealand.