

From: info@waipadc.govt.nz
To: [Policy Shared](#)
Subject: External Sender: Plan Change Further Submission Form 6 - Jay El Limited
Date: Monday, 12 December 2022 4:37:26 pm

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Full name Jay El Limited
Email address [REDACTED]
Telephone [REDACTED]
Postal address [REDACTED]
Contact person Hamish Ross
This is a further submission... In support of a submission on the following proposed change proposed to the Waipā District Plan

Insert name of proposed plan change

PC26

I am...

A person who has an interest in the proposal that is greater than the interest the general public has

Specify the grounds for saying that you come within this category

Submitted on plan change originally, landowner and developer of large residential area within Waipa District, and a ratepayer.

Name of original submitter

Sam Shears

Address of original submitter

[REDACTED]
[REDACTED]

Submission number of original submission (if available)

76

I...

Support the above submission

The particular parts of the submission I support/oppose are

See attached

The reasons for my support/opposition are

See attached

I seek that..

Part of the submission be allowed

Describe the part(s) you seek to allow/disallow

See attached

Give precise details on why you seek the above

See attached

I...

Wish to be heard in support of my further submission

If others make a similar submission, will you consider presenting a joint case with them at a hearing?

Yes

12 December 2022

Planning Team
Waipā District Council
23 Wilson Street
Cambridge 3434

Our Ref: C19109

Dear Planning Team,

Further Submission on Plan Change 26 – Residential Zone Intensification

Further to the notification of Plan Change 26 – Residential Zone Intensification on the 19th August 2022 and subsequent notification of submissions received on 28th November 2022, please find the below points outlining Jay El Limited’s further submission on the Plan Change.

Overall, Jay El Limited remains supportive of the proposed plan change. However, there are a number of aspects of the plan change that we request be amended to achieve better outcomes. In relation to the matters raised in our original submission, we provide the following comments in relation to some of the other submissions received.

Submission Point 76.3 – Rule 2A.4.1(b) and (c) – Shears, Sam – Support with comments

Reason:

We agree that there is a need to provide for increased density, in accordance with both the Medium Density Residential Standards (MDRS) provisions of the Resource Management Act (RMA) and the National Policy Statement on Urban Development (NPS-UD). However, we don’t entirely agree with the second part of this submission point, in relation to the limitations placed on enabling development up to the maximum enabled under the MDRS through the use of the Infrastructure Constraint Qualifying Matter Overlay.

We consider that Council has been overly liberal with identifying areas that should be subject to this Qualifying Matter overlay. Particularly in light of the ability to provide infrastructure upgrades through development contributions that can be levied either as part of the associated subdivision consent or with the associated building consents (should no subdivision be proposed). During each of those processes, there would also be an opportunity for Council to provide review, input, and request changes to the engineering design for any such infrastructure upgrades.

Requested decision:

That Rule 2A.4.1(b) and (c) is approved as proposed, and that the extent / reliance of the Infrastructure Constraint Qualifying Matter Overlay to limit giving effect to this rule be altered. This could be achieved through identifying locations where there are serious physical / engineering impediments to connections to existing infrastructure (such as on the opposite side of a significant water body or wetland or geotechnically-unsuitable land). Alternatively, it could be achieved through removing reference to the Infrastructure Constraint Qualifying Matter Overlay entirely within PC26, and instead requiring that any associated building consent or subdivision consent for such a development show that appropriate infrastructure connections are readily available or what upgrades are required and how it is intended to achieve such upgrades.

Submission Point 76.9 – Rule 2A.4.2.21 – Shears, Sam – Support with comments

Reason:

We too support the inclusion of this rule within PC26 to encourage passive surveillance over public areas to achieve appropriate Crime Prevention Through Environmental Design (CPTED) outcomes. We also agree that the minimum extent of glazing required under the rule as proposed is too high.

We consider that the proposed required amount of glazing facing streets, 20% of the front façade, is excessive. There have been extensive studies regarding the potential for thermal loss through large areas of glazing, including those prepared for by key industry and government departments (New Zealand Green Building Council Team, Homestar v5 Technical Manual, 12 November 2021. Page 69; and Ministry of Business Innovation & Employment, H1 Energy Efficiency - Acceptable Solution H1/AS1, 4 August 2022).

Further, we consider the potential for thermal loss to be of even greater importance for facades that are south-facing, as mentioned within our original submission. This is the key point of difference between that made by Submission Point 76.9 and what we consider a suitable change to this proposed rule.

Requested decision:

That Rule 2A.4.2.21 is amended to align with the requested changes made in Submission Point 67.1, i.e:

Any residential dwelling facing the street:

(a) On a northern orientation must have a minimum of 2015% of the street-facing façade in glazing. and

(b) On a southern orientation must have a minimum of 8% of the street-facing façade in glazing. This can be in the form of windows or doors.

Orientation of façade shall be determined using the methodology in Appendix O6.

Submission Point 76.12 – Rule 15.4.2.1 – Shears, Sam – Support with comments

Reason:

We agree that the inclusion of an average net lot area to this rule is not appropriate to achieve the outcomes that the MDRS, NPS-UD, or the District Plan are seeking for the Medium Density Residential Zone.

The use of an average net lot area for vacant lot subdivisions does not appear to have any clear correlation with enabling the future development of these lots to a residential standard that would align with that anticipated under the Medium Density Residential Zone.

Requested decision:

That Rule 15.4.2.1 is amended to remove requirement for an average net lot area for vacant lot subdivisions.

If you require any further information, please contact the writer.

Yours faithfully

CKL Planning | Surveying | Engineering | Environmental

Hamish Ross

Director – Licensed Cadastral Surveyor