

DECISION OF RESOURCE MANAGEMENT ACT 1991 ('RMA') HEARING PANEL ON A LIMITED NOTIFIED RESOURCE CONSENT APPLICATION TO SUBDIVIDE ONE LOT INTO FIVE IN CONJUNCTION WITH LAND USE CONSENT FOR A COMPACT HOUSING DEVELOPMENT

1 INTRODUCTION

- 1.1 On 26 February 2021, Barkers & Associates on behalf of WJ & WD Hodges ('the Applicant') applied for concurrent subdivision and landuse consents to undertake a five-lot compact housing development at 109 Taylor Street, Cambridge.
- 1.2 Under the Operative Waipā District Plan 2016 ('the District Plan') the application is a non-complying activity due to non-compliance with the performance standards for activities in the Residential Zone. Those non-compliances relate to net lot area rules, minimum site area and permeability requirements, among others.
- 1.3 The application was limited notified on the 6 July 2021. Two submissions were received on the application, both in opposition.
- 1.4 The application was referred to Council's RMA Hearing Panel ('Hearing Panel') as planning staff do not have delegated authority to determine notified applications where submissions have been lodged in opposition.
- 1.5 The hearing was held at 10.00am on 17 September 2021. Due to restrictions in holding hearings associated with COVID-19, the hearing was held online. The hearing was adjourned at 12.55pm the same day to allow for Council's planner to advise on the discussions between the Applicant and submitters in relation to possible boundary treatment options, and for the Applicant to provide an amended landscape plan. Council's planner provided a memorandum dated 20 September 2021, and the Applicant provided an amended landscape plan on 22 September. The hearing was officially closed on Friday 5 October 2021.
- 1.6 This report sets out the Hearing Panel's decision, acting under delegated authority from the Waipā District Council and pursuant to the provisions of Sections 104, 104B, 104D and 108 of the Resource Management Act 1991.

2 DETAILS OF THE APPLICATION

App Number:	SP/0028/21 & LU/0040/21
Applicant:	WJ Hodges, WD Hodges
Property Address:	109 Taylor Street, Cambridge 3434
Legal Description:	LOT 2 DPS 947 (RT: SA62D/729)
Site Area:	1,012m ²
Activity Status:	Non-Complying
Zoning:	Residential Zone
Policy Area(s):	Compact Housing Area
Designation(s):	Nil
Proposal:	Subdivide one lot into five in conjunction with LU/0040/21 for Compact Housing Development

3 THE SITE

- 3.1 The subject site is located at 109 Taylor Street, Cambridge and comprises a total area of 1,012m². The site currently contains a single storey dwelling and garage. The site is identified as Lot 2 DPS 947 comprised under Record of Title SA62D/729.
- 3.2 The site is located within the Residential Zone of the District Plan and is subject to the Compact Housing Area policy overlay. Council's Special Features Map does not identify the site as being subject to any hazards or HAIL notations.
- 3.3 Adjoining properties to the south, east and west are residential in nature and are similar in size to the subject site. The site to the west (107 Taylor Street) contains a single storey detached residential dwelling with a detached garage. To the east (111 and 111A Taylor Street) contains two dwellings on two titles. 111 Taylor Street, the front site, contains a two-storey detached dwelling with no garage. The rear site, 111A Taylor Street is a single-storey dwelling with a detached garage. The sites immediately to the rear are single storey detached dwellings, accessed via Constance Place. McKinnon Park is located to the north of the site and forms part of the 'Cambridge Green Belt'. Refer to Figures 1 and 2 for an aerial photograph of the site and Council's Planning Map.



FIGURE 1: AERIAL PHOTOGRAPH OF SITE AND SURROUNDS

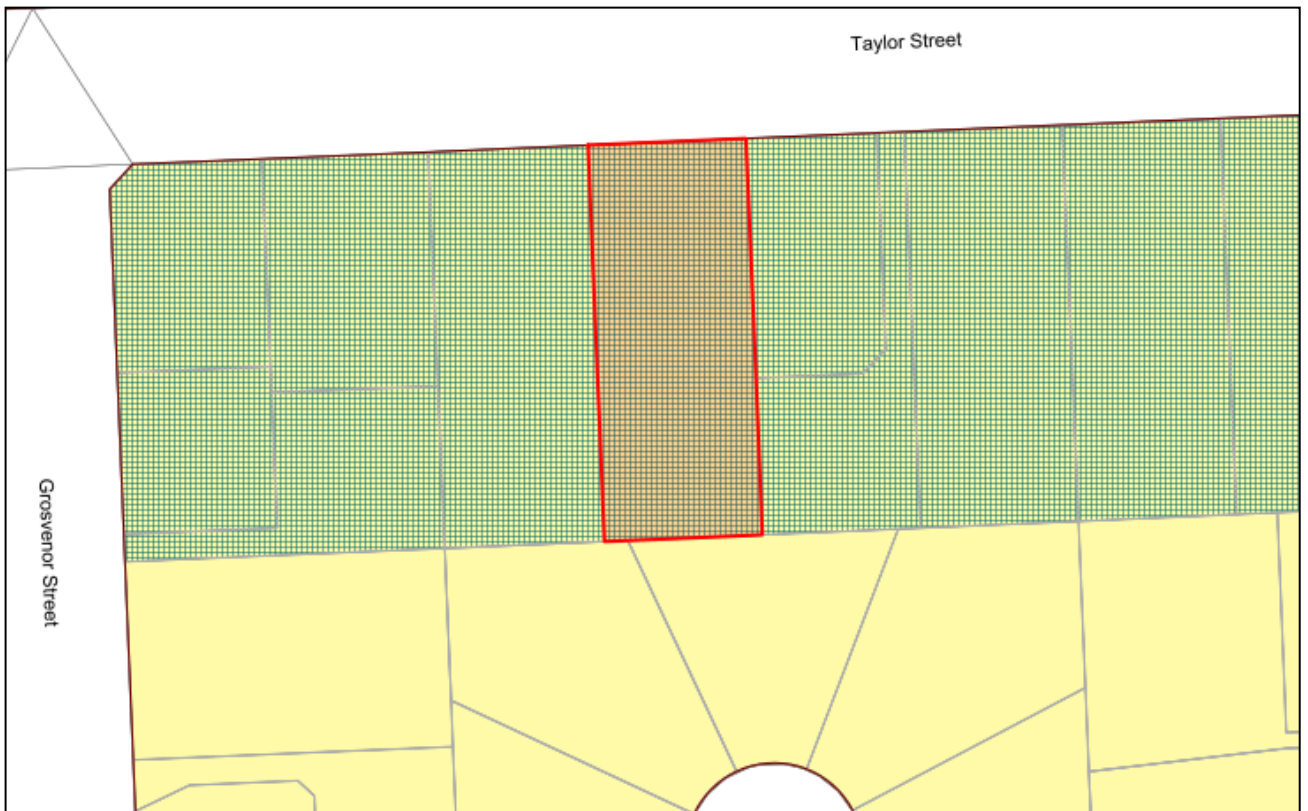


FIGURE 2: DISTRICT PLAN ZONE AND POLICY OVERLAY

4 THE PROPOSAL

- 4.1 The proposal was set out in detail in both the application report and in the Section 42A report (ECM # 10626240). In summary, the Applicant seeks a concurrent subdivision and land use consent to undertake a five-lot compact housing development. The proposal involves the establishment of five dwellings on the site which will subsequently be subdivided so they each sit on their own individual freehold title.

5 STATUTORY FRAMEWORK

- 5.1 The application was considered under the provisions of the Resource Management Act 1991 ('the Act') in both the application and the Section 42A Report. Both assessments concluded the application was to be assessed as a **non-complying** activity under the provisions of the District Plan and thus, was considered in accordance with Sections 104, 104B, 104D and Part 2 of the Act.

Waipa District Plan

- 5.2 The District Plan contains a number of objectives and policies that directly relate to this land use consent application. Those objectives and policies are contained in Section 2 – Residential Zone, Section 15 – Infrastructure, Hazards, Development and Subdivision and Section 16 – Transportation.
- 5.3 The Hearing Panel have adopted the assessment of the Council's reporting officer and the Applicant's consultant in respect of the District Plan assessment, which is not in contention. The assessment of the activity against the District Plan provisions confirms the activity status as a non-complying activity due to failure to comply with the following District Plan provisions:
- a) Rule 2.4.2.43 – compact housing: the proposal fails to comply with the 2,000m² site area requirement, the 30% permeability requirement, and the direct line of sight requirement, as a Discretionary activity.
 - b) Rule 15.4.1.1 – subdivision: The District Plan does not include a specific rule that applies to subdivision of compact housing developments, and therefore defaults to a non-complying activity.
 - c) 15.4.2.1 – subdivision net lot area: The District Plan does not include minimum lot area rules for compact housing developments, and the proposal therefore fails to comply with the residential minimum lot area, as a Non-complying activity.
 - d) Rule 15.4.2.4 – vehicle access width: The proposal will not comply with the minimum 6m wide access to rear lots (4-6 lots), as a Discretionary activity.
 - e) 15.4.2.6 – lot design: the proposal creates 4 rear lots, as a Discretionary activity.

National Policy Statements

- 5.4 With regard to the National Policy Statement's the National Policy Statement on Urban Development (NPS-UD) is applicable and commented on in both the Council's Section 42A Report and the evidence presented by Gareth Moran.

National Environmental Standards

- 5.5 There are no National Environmental Standards requiring further consideration with regard to this application.

Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato

- 5.6 The proposed activity in this case is not considered to be in conflict with the provisions of Te Tauākī Kaupapahere Te-Rohe O Waikato.

Waikato Regional Plan

- 5.7 With regard to the Waikato Regional Plan, the proposed development is not considered to be in conflict with the provisions of the Regional Plan.

Other Legislation

- 5.8 No other legislation was applicable in the assessment of this application.

6 NOTIFICATION ASSESSMENT

- 6.1 In accordance with Sections 95A to 95F of the Act, the proposal was assessed with regard to notification by the Council (Council document reference 10623999). As a result, the application was limited notified to the following four owners and occupiers of properties on the 6 July 2021.

- 111 Taylor Street Adrienne Olsen
- 111A Taylor Street Robert Creasy
- 6 Constance Place Avril De Wet
- 107 Taylor Street Christopher & Helen James

7 SUBMISSIONS

- 7.1 Two submissions were received during the statutory submission period, both of which were in opposition. In summary, concerns raised by submitters included:

- Property values;
- Residential amenity (loss of privacy and shading, fence design);
- Infrastructure effects (pressure on infrastructure, and additional stormwater runoff leading to surface flooding); and
- Failure to comply with the District Plan and Compact Housing Overlay provisions.

- 7.2 A copy of the submissions was included in Appendix 5 of Council Planners Section 42A Report (Council document reference 10647607).

8 THE HEARING

- 8.1 The hearing was held via Audio Visual (Zoom) on the 17 September 2021 and attended by the following persons:

Role	Name
Hearing Panel	Marcus Gower (Chairperson) Lou Brown
Hearing Panel Assistance	Jenny Nemaia Sharyn King Wayne Allan
Applicant	Warren and Wendy Hodges
Appearing for Applicant	Gareth Moran, Barker & Associates – Planner Christopher Beer – Architect
Appearing for Council	Tim Wilson – Processing Planner Quentin Budd – Consents Team Leader Tony Coutts – Senior Development Engineer Yu Hu – Development Engineer Sam Foster – Urban Design
Submitters in Opposition	Adrienne and Murray Olsen Christopher James
Submitters in Support	Nil

9 SITE VISITS

- 9.1 The Hearing Panel undertook a site visit on the 16 September 2021. In attendance with the Hearing Panel were Mr Quentin Budd, Council’s Planner Support.

10 SUMMARY OF THE EVIDENCE HEARD - Section 113(1)(ad)

- 10.1 The Chair of the Hearing Panel asked Council’s Consents Team Leader to provide an overview of the application being heard and then directed the Applicant’s Team to present their application and evidence.

Applicants Evidence

- 10.2 Mr Gareth Moran (Barker & Associates) provided written planning evidence prior to the hearing regarding the proposal. Mr Moran spoke to the key aspects of his written evidence. Mr Moran began

by confirming the findings of Council's s42A report to be accurate and correct and as such Mr Moran agreed with the key findings, being the effects of the proposal are appropriate in the Residential Zone, the proposal is not contrary to the objectives and policies of the District Plan, satisfies the s104D gateway test, and aligns with the NPS-UD.

- 10.3 Mr Moran then discussed what he considered to be the key concerns raised by the submitters, being loss of privacy, shading, failure to comply with the District Plan standards, permeability and flooding, and amenity values.
- 10.4 In terms of loss of privacy, Mr Moran discussed the proposed windows that the submitters of 107 Taylor Street believed would result in a loss of privacy. Mr Moran confirmed that the inclusion of the proposed 1.8m high fence and landscaping would obstruct the views from the ground floor of the proposed dwellings on 107 Taylor Street. With regard to the upper-level windows, Mr Moran confirmed that of the 10 windows, three are bathroom windows and will include opaque glass. Mr Moran confirmed that the Applicant is open to exploring the possibility of a higher boundary fence. Mr Moran then discussed how the dwellings were designed to avoid privacy issues, by recessing the upper levels from the boundary to maximise the separation distance between the proposed dwellings. Mr Moran noted that there are no District Plan provisions that restrict the number of windows to be constructed and compared the proposal to a single dwelling that could have the same number of windows.
- 10.5 Mr Moran discussed shading effects raised by submitters and confirmed that the proposal complies with the height in relation to boundary rules of the District Plan. On this basis, Mr Moran concluded that the proposal does not generate any additional shading effects than what has been anticipated in the Residential Zone.
- 10.6 In terms of failure to comply with the District Plan, and the Non-Complying activity status, Mr Moran noted that the land use consent for the dwellings is a discretionary activity, and the only reason the proposal is non-complying, is due to the freehold subdivision, also proposed. Mr Moran referenced the s42A Report conclusions (paragraph 8.18 of the s42A report).
- 10.7 Mr Moran discussed the failure of the permeable surface requirements of the District Plan, where he referenced the engineering report provided with the application, which was reviewed by Ms Yu Hu and Mr Tony Coutts, who confirmed that the non-compliance would not result in flooding effects on adjoining properties or add to the historic flooding effects experienced on Taylor Street.
- 10.8 Mr Moran discussed amenity effects and concluded that residential development of this nature is anticipated on this site by virtue of the objectives and policies and compact housing area overlay in the District Plan.
- 10.9 Mr Beer then discussed the design characteristics and amenity values. Mr Beer commented that compact housing developments of this nature is something that Cambridge is looking at more and more. Mr Beer outlined that he was wanting to design the proposal to be a good example for the future. He set out the key design outcomes in minimising driveway space and maximising the outdoor living area and reducing the overall bulk of the buildings. Mr Beer then discussed the high-quality

materials used and landscaping on the streetscape and within the site. The overall goal being a high-quality compact housing development.

- 10.10 Mr Moran commented on the statutory requirements of s104 of the Act, and noted both the application and s42A report concluded that the proposal represents an acceptable outcome in a residential environment in close proximity to a reserve, the proposal results in positive effects such as the creation of additional dwellings providing a mixture of housing typologies, and is not contrary to the objectives and policies of the District Plan, and aligns with the high level planning documents, specifically the NPS-UD. Mr Moran confirmed that the proposal passes both limbs of the s104D gateway test, and consent is able to be granted.
- 10.11 Wendy Hodges (Applicant) then commented on the design of the proposal and noted that many athletes in Cambridge are looking for high quality, low maintenance properties, which was a key driver in the development, along with their passion for high quality design and build projects.
- 10.12 Mr Moran concluded by commenting on draft conditions, specifically that Condition 2 was not required, and noted there may be cross referencing errors. Mr Moran noted that he is happy to explore Condition 10 and the requirement to provide a 1.8m fence or higher.
- 10.13 Following conclusion of the Applicant's presentation, Ms Olsen (submitter), requested a point of clarification in relation to where amenity effects were assessed. Mr Moran referred Ms Olsen to the application document and the s42A report.

Submitters Evidence

- 10.14 Mr James (owner and occupier of 107 Taylor Street) provided a presentation, highlighting the concerns raised in his submission. The concerns raised by Mr James related to the amenity, shading, and privacy effects. Mr James noted that the 1.8m fence proposed may assist in reducing privacy effects but will not assist with shading effects. Mr James also noted that the proposal represents a noticeable change from the existing character of the area. Mr James discussed the soak pit on Taylor Street and that it has resulted in historical flood issues that the proposal will only make worse. Mr James discussed housing affordability and capacity and questioned the need for infill development at the intensity proposed. Mr James concluded by saying the proposal should be refused.
- 10.15 Commissioner Gower asked Mr James if consent was granted, what conditions would be acceptable. Mr James responded by saying the internal boundary fence could be discussed, specifically its design and height.
- 10.16 Ms Adrienne Olsen (owner and occupier of 111 Taylor Street) spoke to her submission. Ms Olsen began by providing a background to the consultation with the Applicant, followed by setting out that the proposal is not in keeping with the surrounding environment and pointed at other examples of infill development that is, such as at 113 Taylor Street, where a total of two dwellings are proposed for that site.

10.17 Mr Murray Olsen (owner and occupier of 111 Taylor Street) discussed the specific matters raised in their submission. The key points raised by Mr Olsen were:

- Existing flooding issues along Taylor Street and the proposal will add to those issues;
- Traffic and safety issues as a result of being close to Cambridge High School;
- Sewage issues as a result of infrastructure not coping, and the additional dwellings only adding to those issues;
- Lot design and failure to comply with subdivision standards;
- Fence design and the desire to keep the current fence;
- Failure to meet the minimum 2,000m² requirement of the District Plan;
- The proposal would change the character of the area.

10.18 Mr Olsen concluded by stating that the proposal should be refused but noted that they would support a proposal for a single dwelling at the rear of the site, similar to the proposal at 113 Taylor Street.

10.19 Commissioner Brown asked the submitters how often the area floods. Mr Olsen deferred to Mr James who has more knowledge of flooding. Mr James noted that the catchpit outside the site frequently blocks whenever there is heavy rain. As a result, Mr James noted that he clears the catchpit.

10.20 Commissioner Gower asked Council staff how frequently that road is cleared, and whether there has been any work done to the catchpit. Mr Coutts noted that it should be a part of Council's maintenance schedule. Mr Coutts added that if there is a need for additional maintenance, that can be identified as a catchpit of concern and added to the maintenance schedule. Commissioner Gower asked Mr Coutts to provide further information on the frequency of maintenance on the catchpit.

10.21 Commissioner Brown asked Council staff to comment on whether the site is subject to an identified flood prone area. Mr Coutts commented that both submitters received notification of a Council project to model flood risk areas in the District. Mr Coutts confirmed that the submitters properties are not impacted from a habitable dwelling perspective.

Council Evidence

10.22 The Council's Section 42A Report, prepared by Mr Tim Wilson, Consultant Planner, was taken as read by the Hearing Panel. The s42A Report provided a response to the resource management issues raised by the application and issues raised by submitters. Comments were included from Mr Tony Coutts, Council's Senior Development Engineer, Ms Yu Hu, Council's Development Engineer, and Mr Sam Foster, Council's Consultant Urban Designer, who had reviewed the application.

10.23 In the verbal summary, Mr Quentin Budd opened by confirming that there are referencing errors in the draft conditions of consent provided in the s42A report, which would be corrected and provided to the Hearings Panel following the close of the hearing. Mr Wilson then invited Mr Coutts and Mr Foster to provide summary comments of their assessment of the proposal.

10.24 Mr Coutts noted:

- In terms of stormwater and flood effects, Mr Coutts confirmed that the catchpit was not identified on Council's frequent monitoring regime, but that it can be added to that regime.
- Although the proposal fails to meet the permeability rules of the District Plan, the proposed stormwater devices are appropriate to manage stormwater effects.
- There are a number of planned upgrades to the wastewater infrastructure in Cambridge. The proposed solution to manage wastewater is considered appropriate.
- The proposal includes carparking and vehicle manoeuvring to ensure a forward facing exit from the site. This will alleviate any traffic safety risk.

10.25 Mr Foster noted:

- The site is located within the Compact Housing Area overlay of the District Plan, which signals a change in the design and appearance of buildings that are anticipated. The District Plan sets out that different housing typologies are expected, which is what the proposal represents.
- The surrounding properties represent a variety of housing design. The streetscape along Taylor Street varies in terms of building setback, noting that the compact housing area overlay anticipates buildings being closer to the road frontage.
- The proposal uses a range of materials to break up its bulk and form, which Mr Foster considers appropriate.
- The five dwellings split into two buildings breaks up what would otherwise be a large building and is similar to other developments in terms of a single dwelling on a front lot, and a single dwelling on a rear lot.
- The orientation of the development is north facing and provides daylight access to the outdoor living areas, and any shading from the proposal is considered acceptable.
- The landscape plan provides additional screening and supports the inclusion of a condition of consent requiring landscaping be implemented and maintained.
- The 2,000m² requirement for compact housing areas generally provides more flexibility to arrange buildings on a site and be designed more comprehensively. The approach taken in this proposal creates a good urban form, and the proposal is appropriate for the site.

10.26 Commissioner Gower asked whether there are many other developments similar to this and whether it is more common. Mr Foster is aware of various applications at various stages, noting the Coleridge Street example, which was recently approved. Mr Foster considers developments such as this are a trend that is happening across the Waikato and the country.

10.27 Mr Wilson noted:

- Agrees with the conclusions reached in the evidence of Mr Moran.
- While the proposal is a non-complying activity, the buildings are able to comply with most of the bulk and location rules of the District Plan. The subdivision component of the proposal is what triggers the non-complying status.

- Agrees with the conclusions reached by Mr Foster and Mr Coutts.
- The proposal is consistent with the objectives and policies of the District Plan, and the NPS-UD, and the proposal could be granted.

Applicant's Right of Reply

- 10.28 Mr Beer commented that the arrangement of the dwellings into two buildings is consistent with Mr Foster's conclusion. Mr Beer also confirmed that the Auckland example that was included in his evidence, is an example of best practice and what the development could look like, in the absence of any other example in Cambridge. Mr Beer also noted that should the site be 2,000m², the proposal would have likely been upwards of up to 10 dwellings.
- 10.29 Mr Moran provided a comparison to what a compact housing development that could comply with the District Plan would be, and that notification of a complying development is less likely. Mr Moran noted that the District Plan encourages compact housing in close proximity to reserves. A development not in close proximity to a reserve is likely to attract precedent effects, but given the compact housing area overlay, that is not the case for this proposal.
- 10.30 Commissioner Brown questioned whether a higher fence was considered. Mr Moran confirmed that the Applicant is open to discuss it further but noted that landscape treatment by planting may be a better outcome.
- 10.31 Commissioner Gower directed the submitters, Mr Wilson, Mr Foster, and the Applicant team to discuss the boundary treatment options. The outcome of that discussion is documented in the memo by Mr Wilson.

Adjournment

- 10.32 The Hearing was adjourned for the Applicant to provide an updated landscape plan to the Hearings Panel. This was received on the 22 September 2021.
- 10.33 In addition, the Council's reporting planner provided a memorandum setting out the findings of the discussion on boundary treatment options and provided an updated set of draft consent conditions. This was received on the 20 September 2021.
- 10.34 Both submitters provided queries on the updated landscape plan in relation to species selection, and responses were received from the Applicant on 5 October 2021. The Hearing Panel officially closed the hearing on 5 October 2021.

11 THE PRINCIPAL ISSUES THAT WERE IN CONTENTION - Section 113(1)(ac)

11.1 The principal issues that were in contention are as follows:

- Boundary setbacks;
- Landscaping;

- Stormwater and flooding effects;
- General amenity to adjoining properties;
- Lot size not meeting 2,000 m² and appropriateness of intensification in this area.

12 THE MAIN FINDINGS OF FACT & REASONS FOR DECISION – Section 113(1)(a) & (ae)

12.1 The Hearing Panel have considered the application, the evidence and submissions presented at the hearing, the planning assessment report prepared by the planner, the relevant statutory and planning provisions, and the principal issues that were in contention. The main findings of fact determined by the Hearing Panel, which have led to the following decision and the reasons for that decision are as follows:

- a) Overall, the Hearing Panel are satisfied that the effects of the proposal will be suitably avoided, remedied and mitigated by the range of conditions presented in the s42A report. In terms of the adverse effects of the proposal, the following is noted:
 - i) We agree with the Applicant and s42A Report in that the site is suitable for a comprehensively designed development due to the compact housing overlay that applies to the site, and the close proximity to a Council reserve (McKinnon Park) and associated recreational activities. The proposed buildings and urban design is sympathetic to existing surroundings and is consistent with the mixed character of dwellings and materials in the surrounding environment. Therefore, the proposal is an appropriate outcome for the site.
 - ii) The effects on neighbouring properties are acceptable, given the proposal can comply with the height recession plane, and building setbacks. The proposed landscaping and fencing mitigate adverse effects on shading and provides an adequate level of amenity.
 - iii) The proposal represents a changing use of housing patterns in Cambridge, maximises the use of available area in urban areas for development, avoids urban sprawl, and conserves high class soils.
 - iv) The technical information provided by the Applicant demonstrates that the stormwater solution is appropriate for this development. Further, the investigations undertaken by Council staff shows there is no longer a significant flood risk factor. Adequate parking is proposed on site to minimise on street and neighbouring parking demands.
- b) Overall, the granting of the consent is consistent with the relevant objectives and policies of the District Plan, and all other relevant statutory documents, and provides for the purpose of the Resource Management Act 1991 being the sustainable management of natural and physical resources.
- c) Minor changes to the proposed conditions have been made to ensure they are internally consistent and fit for purpose.

DECISION

12.2 Acting under delegated authority from the Waipā District Council and in consideration of Section 104, and pursuant to Sections 104B, 104D and 108 of the Resource Management Act 1991 and the Operative Waipa District Plan, the Waipa District Council **GRANTS CONSENT** to Wendy and Warren Hodges for a subdivision and land use consent to establish a compact housing development at 109 Taylor Street, legally described as Lot 2 DPS 947 held in Record of Title SA62D/729, subject to the conditions enclosed in Schedule 1 and for the reasons outlined in this report.

Signed:



Councillor
CHAIRPERSON OF HEARING PANEL

Dated: 20 October 2021

Schedule 1

CONDITIONS OF CONSENT

Resource Consent No: LU/0040/21

General

- 1 The proposal shall proceed in general accordance with the information and plans submitted with the application on 1 March 2021, and the revised information provided through the further information request and response, and through the hearing process, except where another condition of this consent must be complied with. This information is entered into Council records as SP/0028/21 & LU/0040/21. A copy of the approved plans are attached.
- 2 The completed compact housing development shall consist of no more than five dwelling units.

Landscaping

- 3 The site shall be landscaped and fenced in accordance with the 'Planting Plan' prepared by Line & Design Ltd dated 21 September 2021, attached to this decision. The landscaping along the boundary of 111 Taylor Street shall incorporate 'Michelia Magnolia' species and undertaken in consultation with the owners/occupiers of 111 Taylor Street. The planting shall be implemented within the next planting season following the issue of Code of Compliance Certificate under the Building Act, to the acceptance of Council's Consents Team Leader.
- 4 The consent holder shall construct a 1.8m high impermeable fence along the internal rear boundary, and boundary with 107 Taylor Street up to the road boundary. The fence shall be constructed at the consent holder's expense.

Construction

- 5 At least one week prior to the commencement of construction works on site, the consent holder must provide the owner and occupier of each adjoining property, with a letter describing the works to be undertaken on site. The letter must set out the expected duration of the works and contact details for the site manager or consent holder in the event that there are concerns with the works.
- 6 That construction on site must be restricted to the hours of 7.30am to 6.00pm Monday to Saturday. No works must be undertaken on Sundays or public holidays.
- 7 All noise associated with the proposed works must comply with the requirements for construction noise set out in New Zealand Standard NZS 6803:1999 – Acoustics - Construction Noise.
- 8 The consent holder must ensure that the construction activities are managed in a manner to ensure that there are no dust emissions occurring beyond the boundary of the site that are objectionable or offensive.

Monitoring

- 9 The consent holder must notify the Waipa District Council enforcement team in writing two weeks prior to the commencement of activities associated with this consent.

Advice Note: This advice should be emailed to: consentmonitoring@waipadc.govt.nz.

- 10 Should the consent holder not proceed with subdivision of the site, Conditions 4, 5, and 7 to 13 inclusive of SP/0028/21, in addition to Conditions 1 to 9 above, must be complied with.

Advice Note: This consent has been approved on the basis that the landuse and subdivision proceed concurrently, however there is the opportunity for the consent holder to proceed with the landuse without undertaking subdivision of the development. In order to ensure necessary infrastructure is provided to each dwelling, design and construction of infrastructure as outlined in the abovementioned conditions is required.

Schedule 2

CONDITIONS OF CONSENT

Resource Consent No: SP/0028/21

General

- 1 Land Transfer Plan to give effect to this subdivision consent must be in general accordance with the approved plans prepared by RAD Surveying Limited, reference 20202, dated May 21 submitted with application SP/0028/21 and LU/0040/21, unless otherwise altered by the consent conditions. A copy of the approved plans are attached.

Easements

- 2 At the time of Section 223 certification, the following easements must be expressed on the survey plan as follows:
 - a The Right of Way shown as 'Access Lot 6 and Lot 7' on the scheme plan of subdivision SP/0028/21 be created and duly granted or reserved.
 - b The easements to drain water (private), convey water, drain sewer (private) shown as 'Access Lot 6 and Lot 7' on the scheme plan of subdivision SP/0028/21, be created and duly granted or reserved.

Amalgamation

- 3 The following amalgamation condition must be expressed on the survey plan as follows:
 - a That Lot 6 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 1 - 5 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith. See CSN Request # 1710714.
 - b That Lot 7 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 3 - 5 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith. See CSN Request # 1710714.

Power

- 4 The consent holder must arrange with a local network electricity operator for the underground reticulation of electricity to serve all lots and pay all costs attributable to such work. The consent holder must submit to the Council written confirmation from the local network operator that satisfactory arrangements have been made for the reticulation of the service to all lots in the subdivision. This is to include if necessary the resisting, repositioning or removal of any electric power lines which exist on the land being subdivided.

Where electric power lines are crossing the boundary of any lots registered easements must be created for such services.

Telecommunications

- 5 The consent holder must arrange with a telecommunications company for the underground reticulation of telecommunication or fibre optic cables to serve all lots and pay all costs attributable to such work. The consent holder must submit to the Council written confirmation from the telecommunications provider that the reticulation of the service to all lots in the subdivision has been provided. This is to include if necessary, the resiting, repositioning or removal of any telecommunication cables which exist on the land being subdivided. All work must be undertaken at the consent holders expense.

Where telecommunication or fibre optic cables serving any lot are required to cross the boundary of any other lot or lots registered easements must be created for such services.

Consent Notices

- 6 The following conditions shall be complied with on a continuing basis by the subdividing owner and subsequent owners:
- a That for subsequent development of Lot 5, a suitably qualified and experienced Engineer will be required to inspect the site and submit to Council for approval, at the time of building consent, design details on the proposed on-site stormwater disposal system.
Reasons: The above condition is required to ensure that the proximity of the foundation for Lot 5 is to comply with RITS 5.2.9 in relation to the pipe zone of influence.
 - b That the current and future owners of Lots 1 to 5 must maintain the landscape planting required as part of Condition 3 of land use consent (LU/0040/21) in perpetuity. All dead or dying plants must be removed and replaced as soon as practical.
Reason: The above condition is required to ensure landscaping is maintained pursuant to the approved consent.

Before the deposit of the survey plan the Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 specifying the above condition. Such consent notice shall be either prepared or checked at the cost of the subdividing owner by the Council's solicitors and shall be registered against the relevant titles.

Entrance closure

- 7 The existing entrance to Lot 2 DPS 947 shall be permanently closed to vehicular traffic, permanently fenced, and the drainage and berm reinstated to the acceptance of Council's Team Leader – Development Engineering at the consent holder's expense.

Construct entrance

- 8 The consent holder shall construct a vehicle crossing to Lot 6. All work is to be completed to the acceptance of Council's Team Leader – Development Engineering, and shall be at the consent holder's expense. All work shall be completed by a Council certified contractor.

Reasons: Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change.

Separate water connections

- 9 The consent holder shall arrange for Council to install separate water connections to Lots 2 to 5, at the consent holder's expense.

Services – wastewater

Submit private gravity wastewater reticulation design

- 10 The consent holder shall submit Design/Construction plans for the private gravity wastewater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0028/21. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the acceptance of Council's Team Leader – Development Engineering, and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a Flow direction and grades;
- b Pipe sizing and material;
- c Bedding details;
- d Manhole sizing and details;
- e Longitudinal sections; and
- f Connections to service Lots 1 to 5.

Construct private gravity reticulation

- 11 The consent holder shall construct private wastewater gravity reticulation as per the design/construction submitted under Condition 10 (Submit private gravity wastewater reticulation design) and to the acceptance of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

- 12 Following completion of the wastewater gravity reticulation required under Condition 11 (construct private gravity reticulation), Quality Assurance Certificates from a suitably qualified and experienced

professional shall be completed, signed and submitted to Council's Team Leader – Development Engineering for acceptance.

Submit As-built plans

- 13 As-built plans and information of all wastewater infrastructure assets, which are to be vested in Council, shall be provided to the acceptance of Council's Team Leader – Development Engineering and shall be at the consent holder's expense.

Schedule 3

ADVISORY NOTES

Resource Consent No: SP/0028/21 & LU/0040/21

- 1 This consent is granted by the Council subject to the Council's officers and/or agents being permitted access to the property at all reasonable times for the purposes of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- 2 Building consent is required from Waipa District Council for the construction of the dwellings.
- 3 Pursuant to Section 36 of the Resource Management Act 1991 the consent holder will be required to pay the actual and reasonable costs incurred by the Waipa District Council when monitoring the conditions of this consent.
- 4 The crossing standards are set out in the Regional Infrastructure and Technical Specification (RITS).
- 5 For both upgrading of the entrance to the site, a Vehicle Crossing Application will need to be submitted to Council. There is no administration fee for the application to upgrade the entrance.
- 6 All contractors or persons undertaking work in the road corridor, for which reinstatement work will be necessary, are required to make a Corridor Access Request (CAR) via the Submitica web site (www.submitica.co.nz). A Traffic Management Plan for the works will need to be submitted with the CAR.
- 7 Once the Section 224C completion certificate has been issued by Council for this subdivision, Council will advise the consent holder of property number(s). Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change.
- 8 The location of the water connections will need to comply with all aspects of Waipa District Council Water Supply Bylaw 2013.
- 9 Draft As-built plans and information of all infrastructure assets, which are to be vested in Council, will need to be provided prior to the final inspection followed by a final set for 224 sign off. This information is a statutory requirement. The Regional Infrastructure and Technical Specification (RITS) has an acceptable standard for the recording of all council assets.
- 10 This consent does not absolve any responsibility of the consent holder to comply with the provisions of the Wastewater Drainage Bylaw 2011 and Water Supply Bylaw 2013.

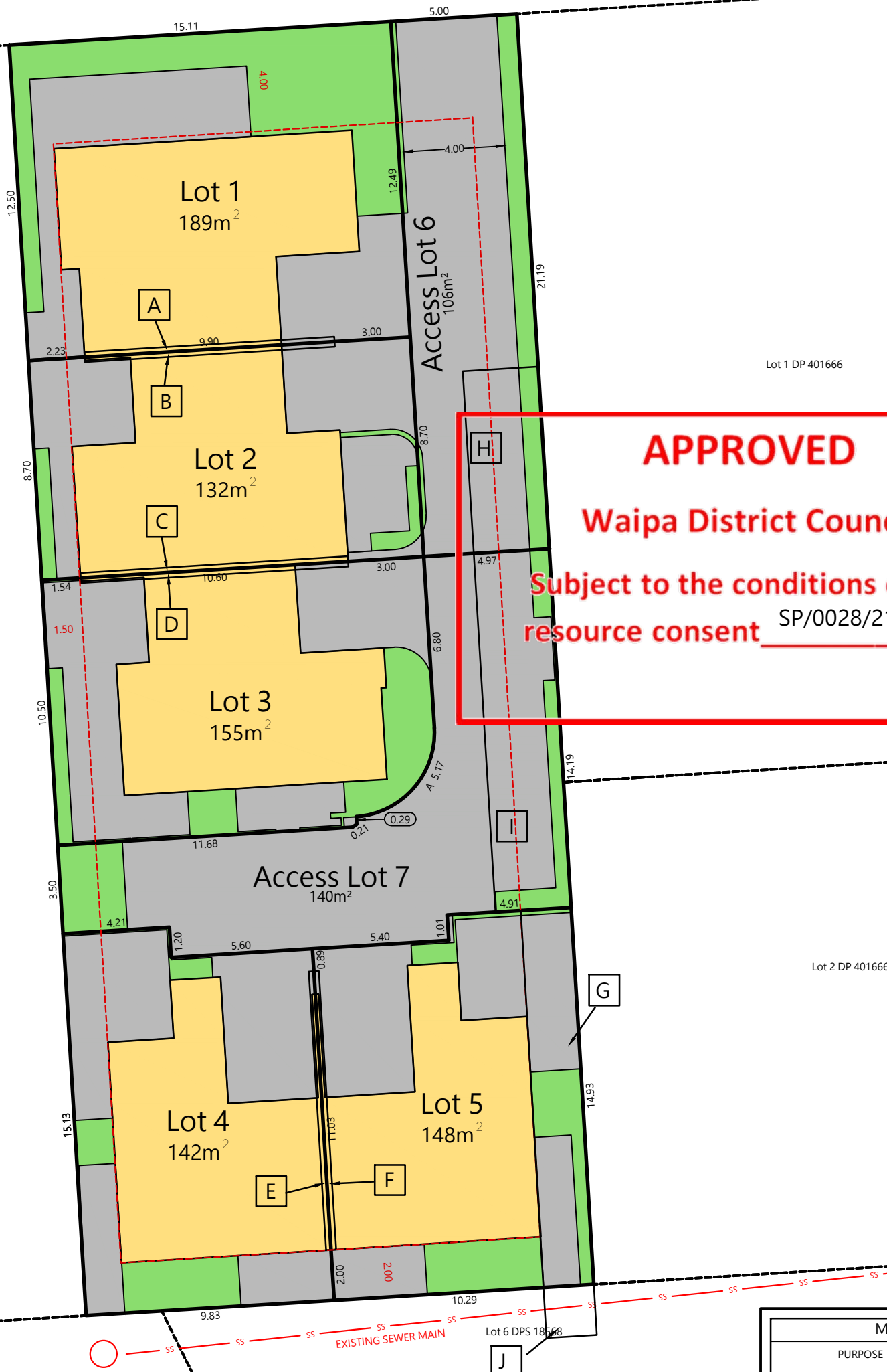
MEMORANDUM OF EASEMENTS			
PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	DOM. TENE. (BENEFITED LAND)
RIGHT TO DRAIN SEWAGE	LOT 5	G	LOTS 1 - 4
	LOT 6	H	LOTS 1 & 2
	LOT 7	I	LOTS 1 - 4

SCHEDULE OF PROPOSED EASEMENTS IN GROSS			
PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	GRANTEE
RIGHT TO DRAIN SEWAGE	LOT 6 DPS 18568	J	WAIPA DISTRICT COUNCIL

AMALGAMATION CONDITIONS	
THAT LOT 6 HEREON (LEGAL ACCESS) BE HELD AS TO 5 UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 1 - 5 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THEREWITH SEE LINZ REF:..... SECTION 220(1)(b)(iv)	
THAT LOT 7 HEREON (LEGAL ACCESS) BE HELD AS TO 3 UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 3 - 5 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THEREWITH SEE LINZ REF:..... SECTION 220(1)(b)(iv)	



TAYLOR STREET



APPROVED
Waipa District Council
 Subject to the conditions of the
 resource consent SP/0028/21

SITE COVERAGE			
LOT	AREA	BLG AREA	%
1	189	83.9	44.4
2	132	76.4	57.9
3	155	75.7	48.8
4	142	67.6	47.6
5	148	67.6	45.7

SITE IMPERMEABILITY			
LOT	AREA	IMPERM. AREA	%
1	189	138.7	73.4
2	132	125.2	94.8
3	155	133.9	86.4
4	142	127.9	90.0
5	148	128.3	86.7
ALL	1012	866.0	85.6

- NOTE:**
- 1) FINAL DIMENSIONS AND LAYOUT SUBJECT TO SURVEY AND APPROVAL FROM WAIPA DISTRICT COUNCIL
 - 2) LEGAL DESCRIPTION: - LOT 2 DPS 947
 - 3) RT: - SA62D/729
 - 4) TOTAL AREA: - 1012m²
 - 5) ZONE: - RESIDENTIAL

MEMORANDUM OF EASEMENTS			
PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	DOM. TENE. (BENEFITED LAND)
RIGHT OF WAY RIGHT TO CONVEY WATER, ELECTRICITY, TELECOMMUNICATIONS RIGHT TO DRAIN SEWAGE AND WATER	ACCESS LOT 6	ACCESS LOT 6	LOTS 1 - 5
	ACCESS LOT 7	ACCESS LOT 7	LOTS 3 - 5
PARTY WALL EASEMENT	LOT 1	A	LOT 2
	LOT 2	B	LOT 1
	LOT 2	C	LOT 3
	LOT 3	D	LOT 4
	LOT 4	E	LOT 5
	LOT 5	F	LOT 4

RAD SURVEYING LIMITED
 07 843 1587 027 411 8496
 237 DIXON ROAD, HAMILTON
 troy@radsurveying.co.nz

PROPOSED SCHEME PLAN
LOTS 1 - 6 BEING A SUBDIVISION OF LOT 2 DPS 947
109 TAYLOR STREET, CAMBRIDGE

Client Reference:	
20202	
Sheet:	Version:
1	2

PREPARED FOR: HODGES PROJECTS LIMITED

SCALE: 1:200 @ A3

DATE: May 21



APPROVED

Waipa District Council

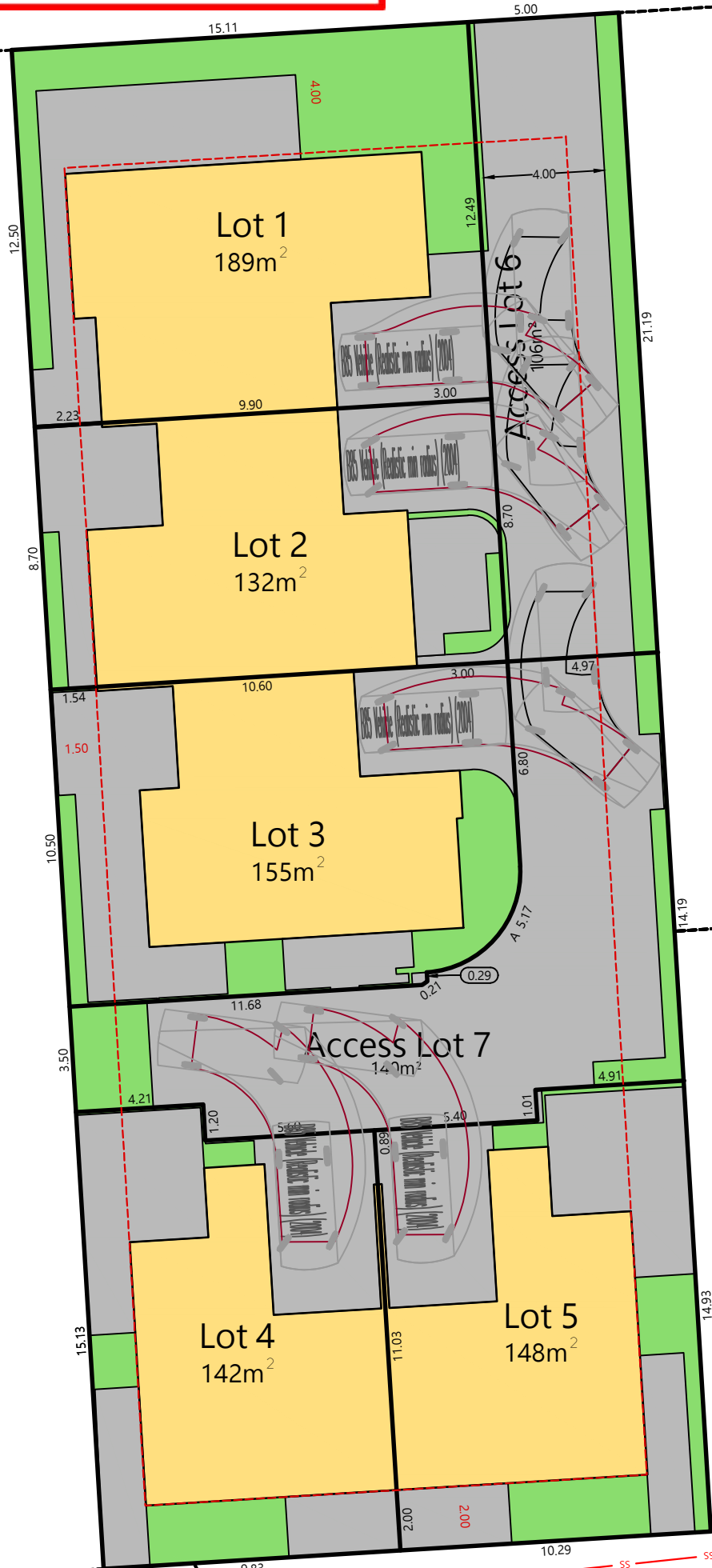
**Subject to the conditions of the
resource consent SP/0028/21**

TAYLOR STREET

AMALGAMATION CONDITIONS

THAT LOT 6 HEREON (LEGAL ACCESS) BE HELD AS TO 5 UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 1 - 5 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THEREWITH
SEE LINZ REF: SECTION 220(1)(b)(iv)

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SEE LINZ REF: SECTION 220(1)(b)(iv)



Lot 1 DPS 947

Lot 1 DP 401666

Lot 5 DPS 18568

Lot 6 DPS 18568

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1	189	83.9	44.4
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ALL	1012	866.0	85.6

- NOTE:**
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 - 2) LEGAL DESCRIPTION: - LOT 2 DPS 947
 - 3) RT: - SA62D/729
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 - 5) ZONE: - RESIDENTIAL

MEMORANDUM OF EASEMENTS

PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	DOM. TENE (BENEFITED LAND)
RIGHT OF WAY RIGHT TO CONVEY WATER, ELECTRICITY, TELECOMMUNICATIONS RIGHT TO DRAIN SEWAGE AND WATER	ACCESS LOT 6	ACCESS LOT 6	LOTS 1 - 5
	ACCESS LOT 7	ACCESS LOT 7	LOTS 3 - 5
PARTY WALL EASEMENT	LOT 1	A	LOT 2
	LOT 2	B	LOT 1
	LOT 2	C	LOT 3
	LOT 3	D	LOT 4
	LOT 4	E	LOT 5
	LOT 5	F	LOT 4



07 843 1587 027 411 8496
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troy@radsurveying.co.nz

**PROPOSED SCHEME PLAN
LOTS 1 - 6 BEING A SUBDIVISION OF LOT 2 DPS 947
109 TAYLOR STREET, CAMBRIDGE**

Client Reference:

20202

Sheet:

1A

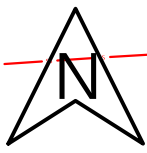
Version:

2

PREPARED FOR: HODGES PROJECTS LIMITED

SCALE: 1:200 @ A3

DATE: May 21



EDGE OF SEAL

TAYLOR STREET

ROAD CENTRELINE

KERB AND CHANNEL

FOOTPATH

APPROVED

Waipa District Council

**Subject to the conditions of the
resource consent SP/0028/21**

RETAIN EXISTING
CONNECTION
FOR LOT 1

NEW FOUR TAP
MANIFOLD TO BE
INSTALLED

4 x 25mm WATER CONNECTIONS
INSTALL ED RIGHT OF WAY

Access Lot 6

Lot 1
189m²
FFL 68.05

Lot 2
132m²
FFL 68.05

Lot 3
155m²
FFL 68.05

Lot 4
142m²
FFL 68.05

Lot 5
148m²
FFL 68.05

SS MH 2
L.L.=67.83
I.L.=66.75

Lot 1 DP 401666

Lot 2 DPS 947

SCHEDULE OF PROPOSED EASEMENTS IN GROSS			
PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	GRANTEE
RIGHT TO DRAIN SEWAGE	LOT 6 DPS 18568	J	WAIPA DISTRICT COUNCIL

MEMORANDUM OF EASEMENTS			
PURPOSE	SERV. TENE. (BURDENED LAND)	SHOWN	DOM. TENE. (BENEFITED LAND)
RIGHT TO DRAIN SEWAGE	LOT 5	G	LOTS 1 - 4
	LOT 6	H	LOTS 1 & 2
	LOT 7	I	LOTS 1 - 4

NOTE:

- 1) FINAL DIMENSIONS AND LAYOUT SUBJECT TO SURVEY AND APPROVAL FROM WAIPA DISTRICT COUNCIL
- 2) LEGAL DESCRIPTION: - LOT 2 DPS 947
- 3) RT: - SA62D/729
- 4) TOTAL AREA: - 1012m²
- 5) ZONE: - RESIDENTIAL
- 6) ALL LEVELS ARE IN TERMS OF MOTURIKI CONVERTED FROM NZVD 2016
ORIGIN MARK - IT I DPS 61897 (F38F) RL= 67.39 NZVD
RL 67.69 MOTURIKI DATUM

SSMH
L.L.=
I.L.= 66.48

SS MH 1
L.L.=67.97
I.L.=66.37

Lot 6 DPS 18568

Lot 5 DPS 18568



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troy@radsurveying.co.nz

INDICATIVE ENGINEERING PLANS
WASTEWATER AND WATER LAYOUT
109 TAYLOR STREET, CAMBRIDGE

Client Reference:

20202

Sheet:

2

Version:

2

PREPARED FOR: HODGES PROJECTS LIMITED

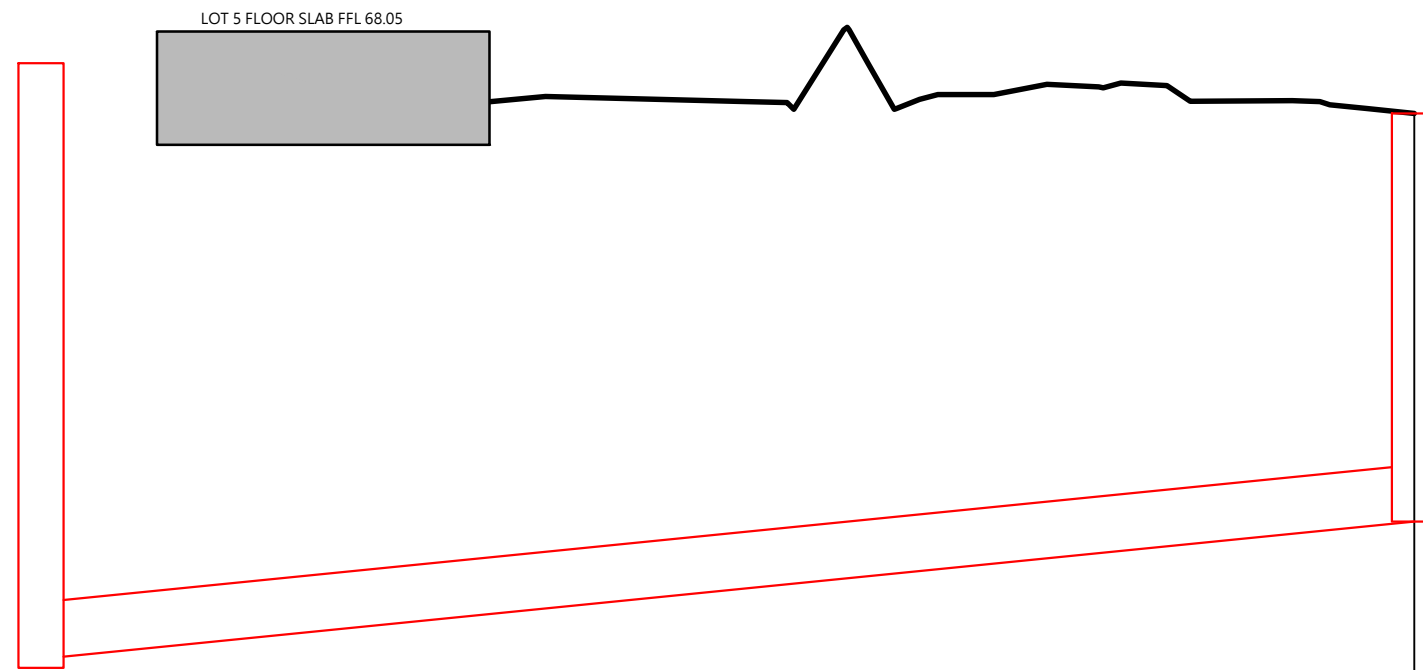
SCALE: 1:200 @ A3

DATE: May 21

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File: 2020-12-01 - 109 TAYLOR STREET TOPO - SEWER SKETCH.DWG

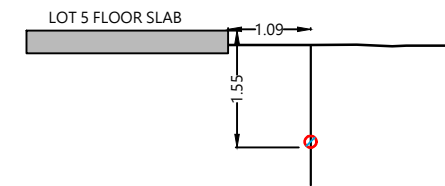
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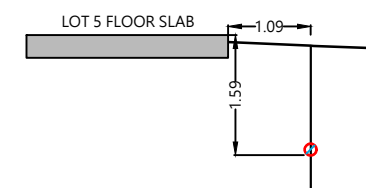
WW MH 1 - MH 2
DATUM: 66.00

DESIGN SURFACE	???	67.83
DEPTH TO INVERT	1.60	66.75
INVERT LEVEL	66.39	66.75
CHAINAGE	0.00	36.33
PIPE SIZE & GRADIENT	150mm SN16 uPVC 36.33m @-1:100.00	

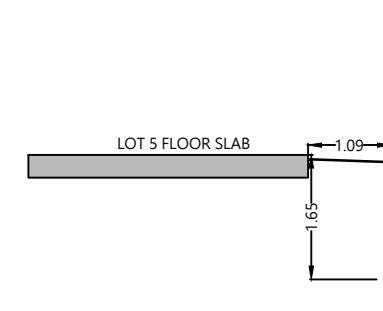
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resource consent SP/0028/21



WW MH 1 - MH 2: CH 11.34



WW MH 1 - MH 2: CH 7.60



WW MH 1 - MH 2: CH 3.31

FOUNDATIONS FOR LOT 5
TO COMPLY WITH RITS 5.2.9
- TO BE ADDRESSED AT THE
TIME OF BUILDING
CONSENT

SCALE: 1:100@A3



07 843 1587 027 411 8496
444 TRISTRAM STREET, HAMILTON
troy@radsurveying.co.nz

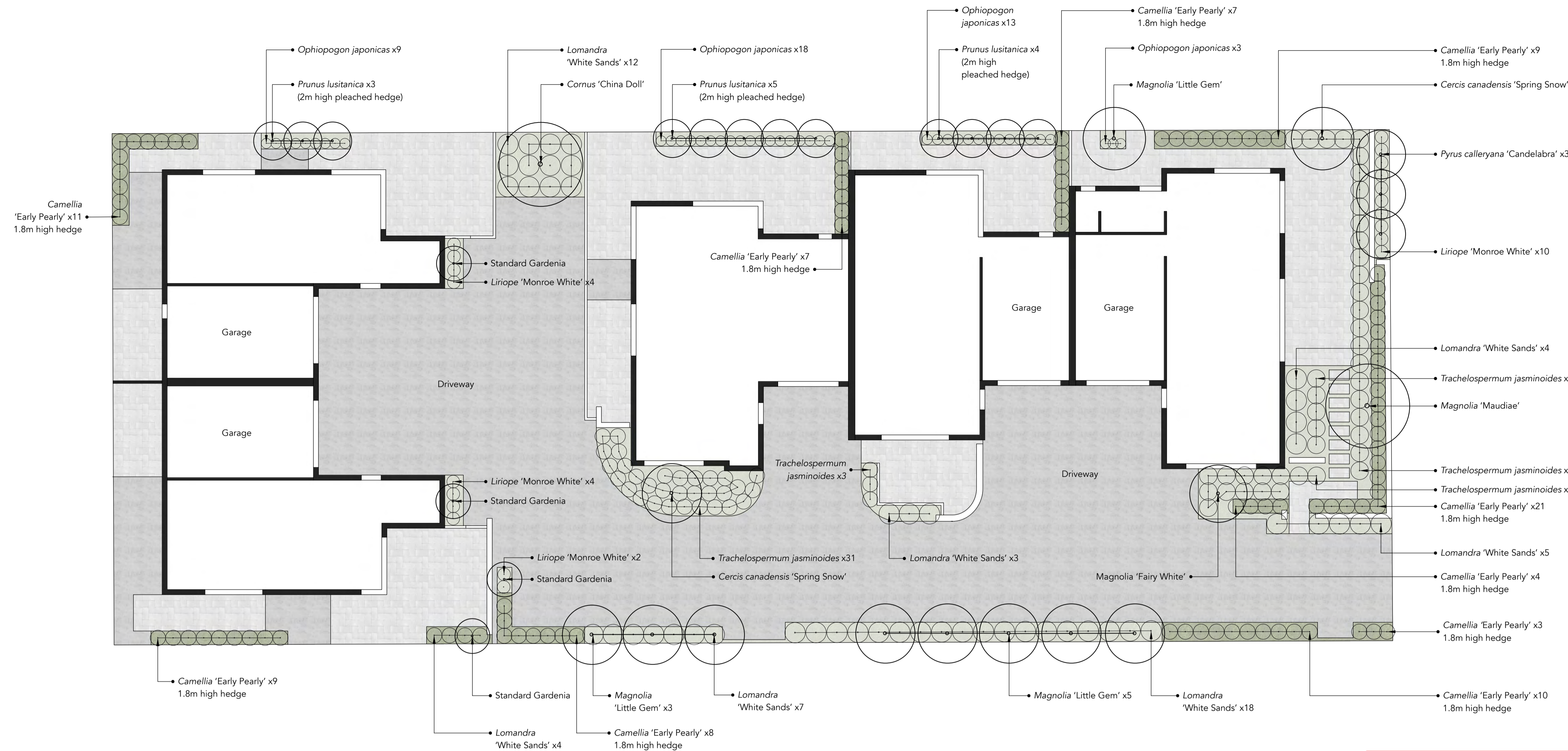
INDICATIVE WASTEWATER DESIGN
LONGSECTION & CROSS SECTION OF NEW WASTEWATER MAIN
109 TAYLOR STREET CAMBRIDGE

Client Reference:	
20202	
Sheet:	Version:
3	1

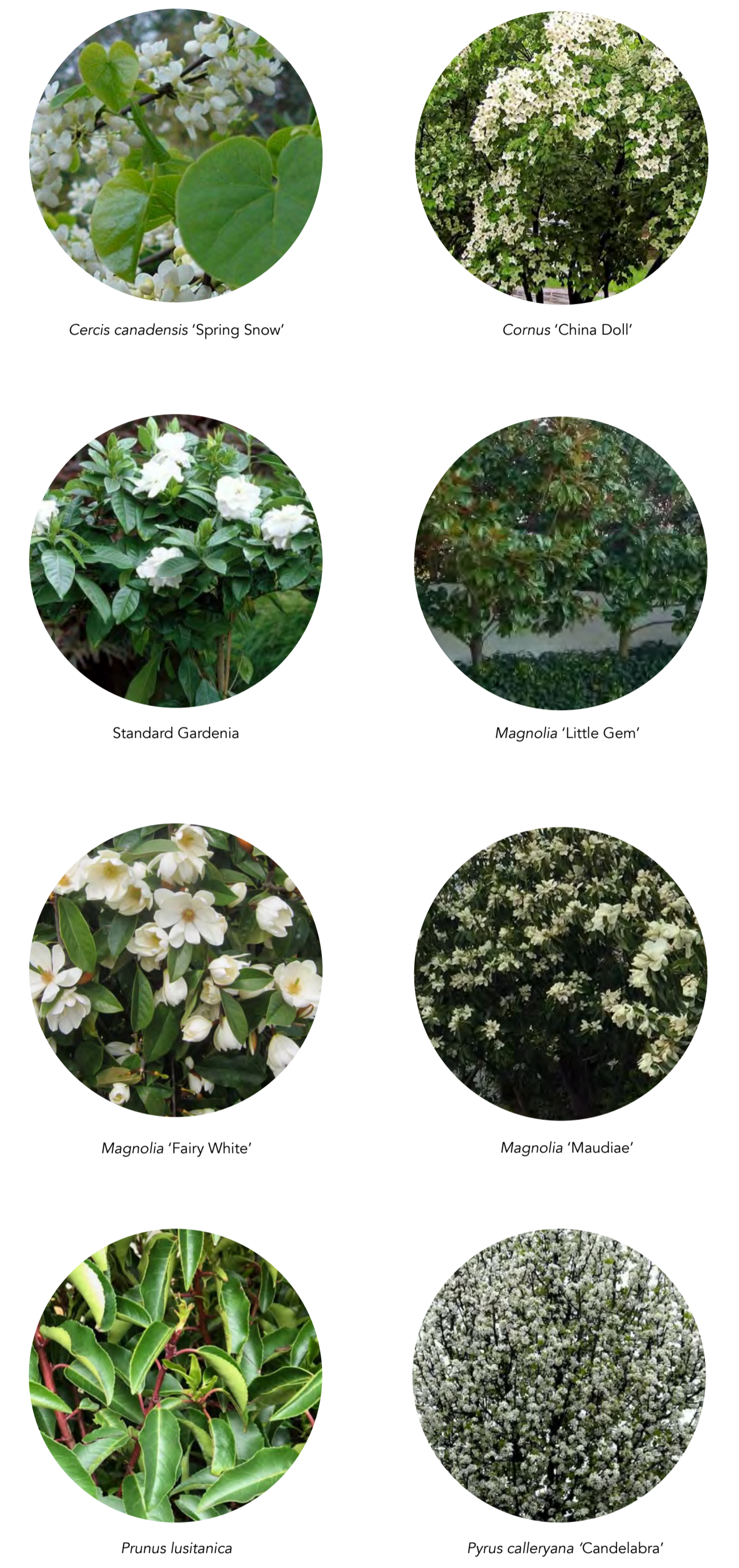
PREPARED FOR: HODGES PROJECTS LIMITED

SCALE: SEE ABOVE

DATE: May 21



TREES IMAGES



TREES - PLANT SCHEDULE

BOTANICAL NAME	QTY	BAG SIZE	NOTES
<i>Cercis canadensis</i> 'Spring Snow'	2	PB95	
<i>Cornus</i> 'China Doll'	1	PB95	
<i>Standard Gardenia</i>	3	PB95	Maintain round shape
<i>Magnolia</i> 'Little Gem'	9	PB95	2400mm spacings
<i>Magnolia</i> 'Fairy White'	1	PB95	
<i>Magnolia</i> 'Maudiae'	1	PB95	
<i>Prunus lusitanica</i>	12	PB95	1500mm spacings. 2m high pleached hedge.
<i>Pyrus calleryana</i> 'Candelabra'	3	PB95	2000mm spacings

SHRUBS - PLANT SCHEDULE

BOTANICAL NAME	QTY	BAG SIZE	NOTES
<i>Camellia</i> 'Early Pearly'	89	2L	600m spacings
<i>Liriopse</i> 'Monroe White'	20	2L	500mm spacings
<i>Lomandra</i> 'White Sands'	50	2L	800mm spacings
<i>Trachelospermum jasminoides</i>	77	2L	700mm spacings
<i>Ophiopogon japonicus</i>	27	2L	400mm spacings

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 Subject to the conditions of the
 resource consent SP/0028/21

Additional Planting Notes:
 Planting should take place between 1st April and 30th September (Unless a water system is in place)

SHRUBS IMAGES



LYNLEY FIFE
 [mb] 027 293 0351
 [p] 07 827 3898
 [e] lynley@lineanddesign.co.nz
 [w] www.lineanddesign.co.nz

DWG NAME Planting Plan	
CLIENT Wendy & Warren Hodges	NO.
ADDRESS 109 Taylor Street, Cambridge	
DRAWN BY HT	SHEET 1
SCALE 1:100 @ A1	DATE 21.9.21

Contractors to check all dimensions, levels and council by-laws etc. prior to any construction. IF IN DOUBT, ASK



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Land-Use Consent Application LU/0040/21
109 Taylor Street, Cambridge
22 September 2021

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Waipa District Council
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resource consent SP/0028/21

The image below shows an approximate example of the 'pleached hedge' planting proposed to western boundary (refer Line & Design Planting Plan for locations and species)



Site Information

Address:	109 Taylor Street Cambridge
Legal description:	Lot 2 DPS 947
Site area:	1,012m ²



North

Development Information

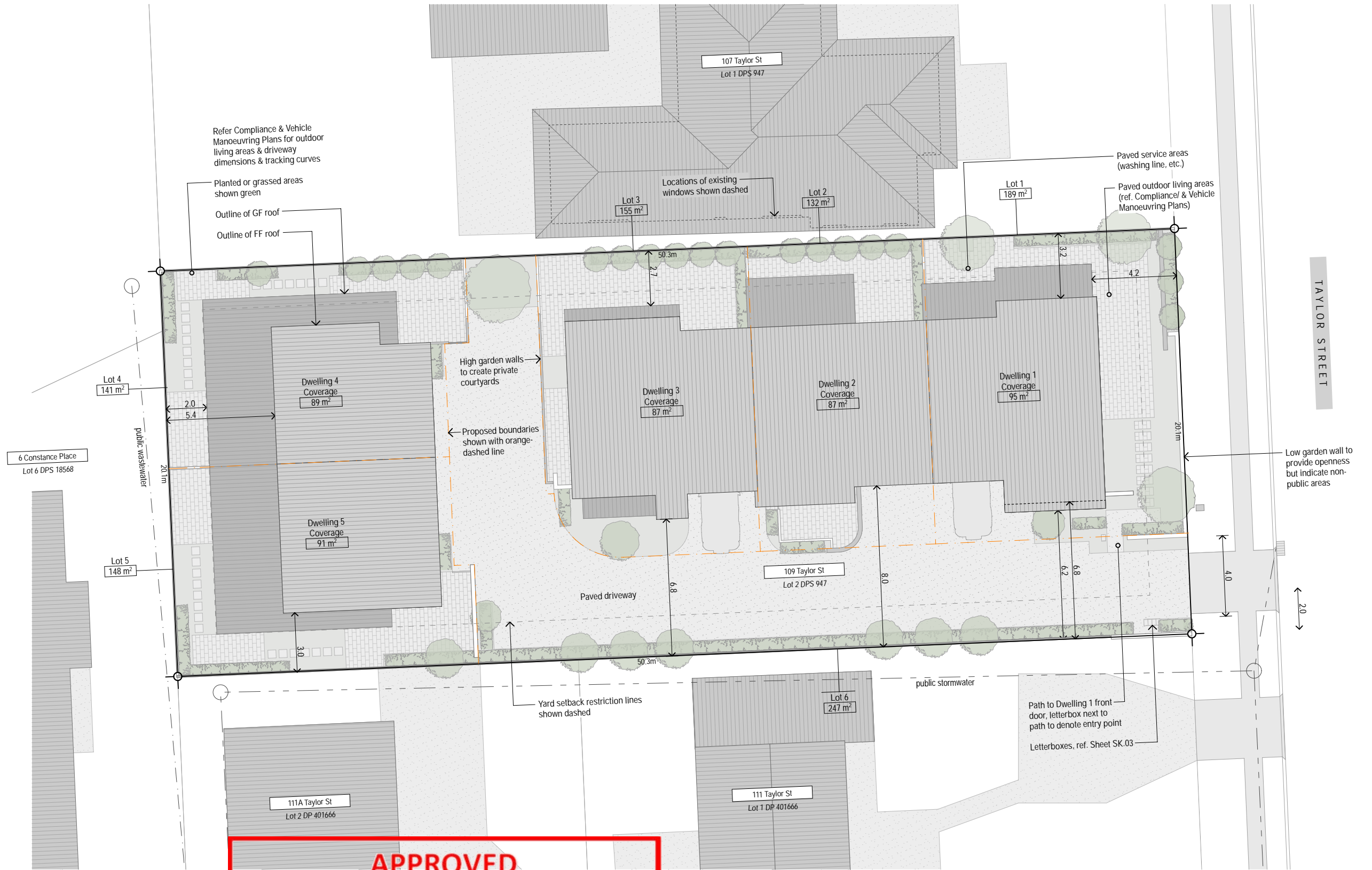
District Plan Zone:	Residential Zone
District Plan Overlay:	Compact Housing
Permeable surface:	40% min.
Site (building) coverage:	40% max.
Front yard setback:	4m
Side yard setbacks:	2m typically (1 at 1.5m)
Maximum building height:	9m
Height control plane:	2.7m + 45° (28° at south boundary)

Site Summary

Total site area:	1,012 m ²
Total roof/building coverage:	448 m ² 44%
Driveway	247
Other paving	170 m ²
Total impermeable area:	865 m ² 85%
Permeable grass, garden, etc.	147 m ²
Total permeable area:	147 m ² 15%



Site Location



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Waipa District Council
Subject to the conditions of the
resource consent SP/0028/21

Warren & Wendy Hodges
Taylor Street Terrace Houses
 109 Taylor Street, Cambridge

Christopher Beer Architect Limited
 32 Victoria Street (rear), Cambridge
 +64 (0)7 827 9944
 studio@christopherbeerarchitect.com

This drawing is for information and consent purposes only. Read in conjunction with other consultants' documentation. The copyright to this drawing and all parts thereof remain the property of Christopher Beer Architect Limited.

Christopher Beer Architect

PLAN: Site
SK.02(F)
 Sheet number (revision):

Drawing issued: 21/09/21
 Drawing scale: 1:1000, 1:200, 1:1.66

Site Information

Address:	109 Taylor Street Cambridge
Legal description:	Lot 2 DPS 947
Site area:	1,012m ²



North

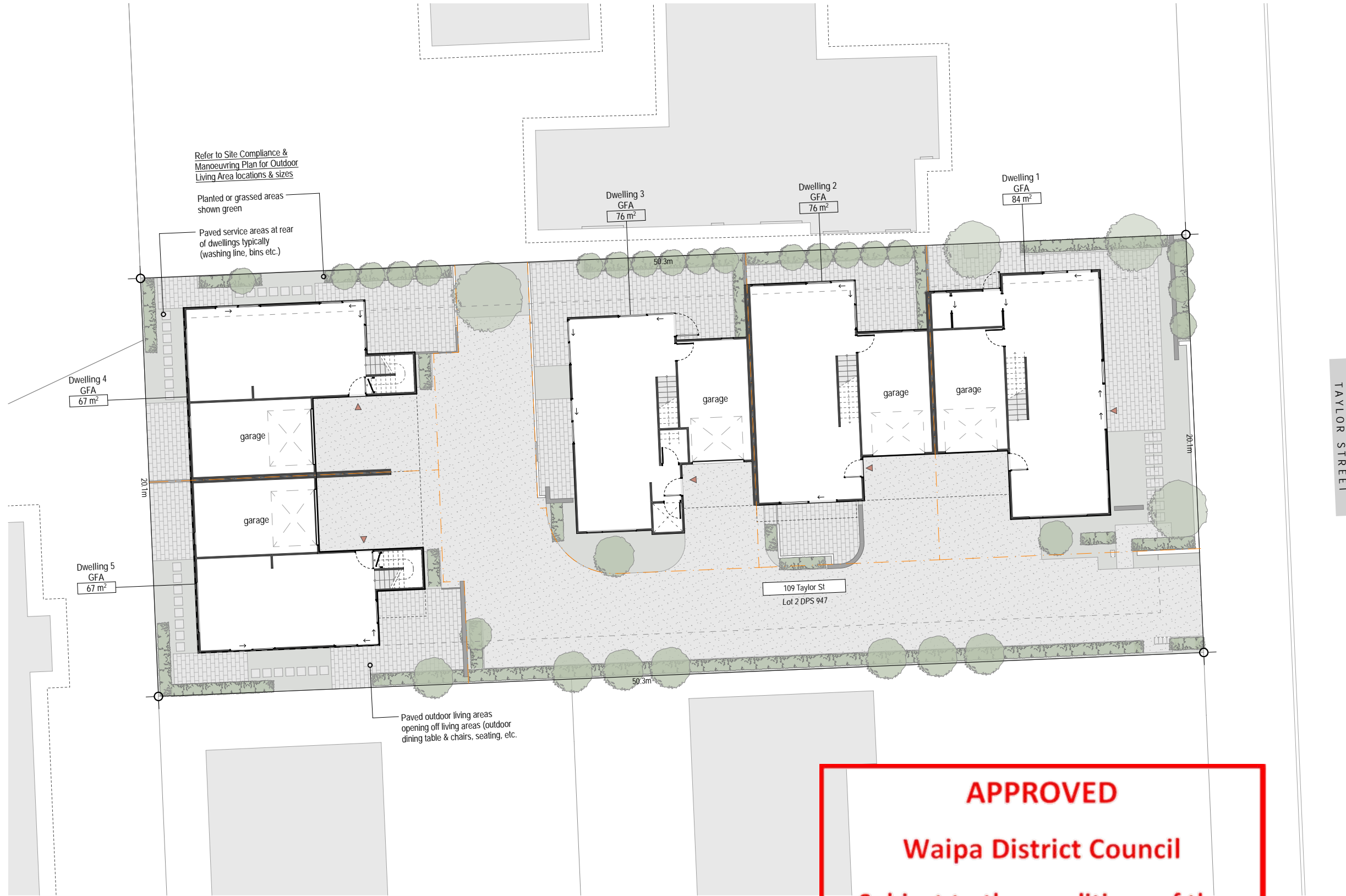
Buildings Summary - Floor Areas (m²)

Dwelling / Lot	Site	GF GFA	FF GFA	Unit GFA
1	189	81	76	157
2	132	76	75	151
3	155	74	79	153
4	142	67	48	115
5	148	66	51	117
6	246	-	-	-
TOTAL	1,012	0	364	329

Buildings Summary - Permeability, Coverage, OLA (m²)

Dwelling / Lot	Site	Permeable	Coverage	OLA
1	189	51	93	39.0%
2	132	5	88	48.6%
3	155	21	87	42.6%
4	142	16	89	46.5%
5	148	20	91	46.1%
6	246	34	-	-
TOTAL	1,012	147	448	42.2%

Note: coverage percentages includes 1/5 (49.4m²) of Lot 6 (shared driveway)



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Waipa District Council
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 resource consent SP/0028/21

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 32 Victoria Street (rear), Cambridge
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Concept Design Drawing Set - For INFORMATION

Warren & Wendy Hodges
Taylor Street Terrace Houses
 109 Taylor Street, Cambridge

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s e r i e s
 c h o p e r
 a r c h i t e c t

PLAN: Ground Floor 1:200

SK.06(E)

Sheet number (revision):

Drawing issued: 21/09/21
 Drawing scale: 1:200, 1:1.6667

Site Information

Address:	109 Taylor Street Cambridge
Legal description:	Lot 2 DPS 947
Site area:	1,012m ²



North

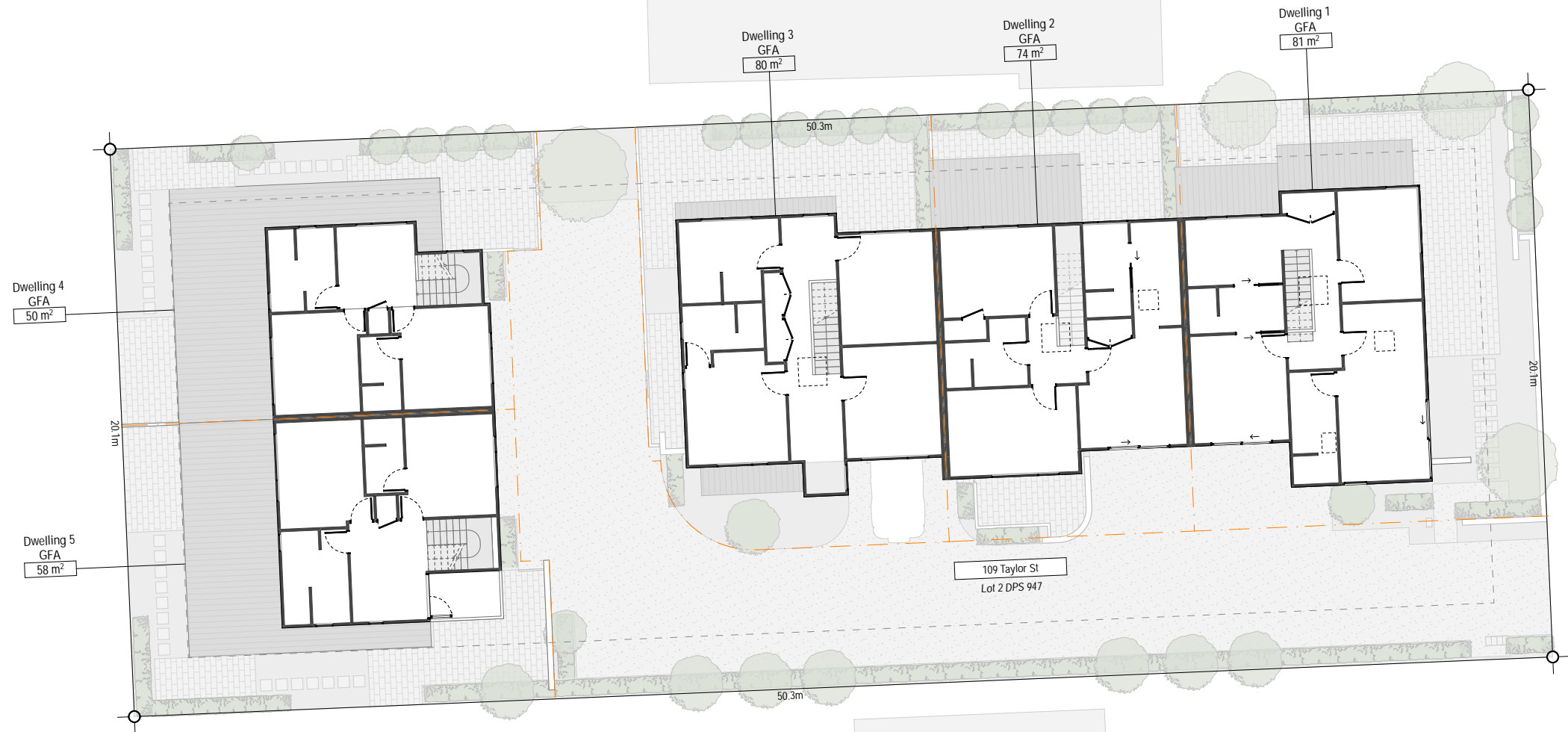
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