30 September 2022

Planning Guidance Unit
Hamilton City Council
Private Bag 3010
Hamilton 3240

Attention: planchange@hcc.govt.nz / haveyoursay@hcc.govt.nz

RE: SUBMISSION ON PROPOSED PLAN CHANGE 12 OF THE HAMILTON DISTRICT PLAN - ENABLING HOUSING SUPPLY - RESIDENTIAL ZONES AND SUBDIVISION

Dear Sir/Madam,

MY/OUR SUBMISSION IS:
I/We are in support of Council's intention to make the District Plan more enabling to simplify the process that would produce a positive outcome for property owners/developers to utilise land efficiently to build additional housing supply within existing residential areas that are located within proximity to commercial/retail nodes, recreational areas and public transport, whilst addressing the impacts on climate change.

I/WE SEEK THE FOLLOWING DECISION FROM THE HAMILTON CITY COUNCIL:
I/We support and seek clarification and some amendments as below:

- Support the overall plan change that seeks to accommodate housing supply and address impacts of climate change.
- Support the proposed residential zoning in areas identified as General Residential, Medium Density Residential and High Density Residential and seek for proposed zoning to be retained. However, we seek clarification and/or amendment to the Historic Heritage Area blanket overlay to ensure that land can still be best utilised for suitable residential development without compromising other factors (e.g. residential character and amenity, streetscape, infrastructure, and any other areas of significance).
- Chapter 4 - Residential Zones (General Residential Zone, Medium Density Zone, High Density Residential Zone and Large Lot Residential Zone):
    - Support 1 to 3 residential units on a site as a Permitted Activity and 4 or more residential units as a Restricted Discretionary Activity to be retained.
    - Seek clarification and/or amendment to Notification Rules relating to qualification versus quantification related standards under General Standards.
    - Density within the High Density Residential Zone for Terrace housing units (Rule 4.4.5.1a): We seek clarification and/or amendment to reference minimum (as opposed to maximum) net site area of 100sqm per residential unit where this could contradict with the minimum 150sqm net site area per residential units within the Infrastructure Capacity overlay area or for example, terrace housing units that are provided with 20sqm floor outdoor living area at the ground floor/ permeable surface that conflicts with the maximum building footprint/ coverag standards..
    - Building Coverage: We support building coverage standards.
    - Permeability and Landscaping: We support permeability and landscaping standards, however, we seek clarification and/or amendment to the number of urban trees for a duplex residential unit which should be provided with one urban tree (as opposed to two) as there is no notable land difference between a duplex unit and terrace housing unit. For example, sites of 200sqm may cause issues between the tree and the residential unit/ vehicle entrance. In addition, the minimum planted size of 80L should be clarified and/or reduced/removed as

this could cause issues not only for the residential unit/ vehicle entrance's obstruction from the tree, but also should be planted to the property owners/developers discretion. In addition, if the minimum size of 80L was unavailable/ shortage, this would create additional non-compliance triggering the need for land use consent that is out of the property owners/developers control. The size of the tree should be site-specific and considered with design and layout of any proposed development.

- Building Height: We support building height standards.
- Height in Relation to Boundary: We support height in relation to boundary standards.
- Building Setbacks: We support building setback standards, however, we seek clarification and/or amendment to setback from internal vehicle access serving more than three residential units to be 1m or reduced where the property owners/developers dispensation is provided. We also seek to include building setbacks from internal vehicle accesses within Rule 4.3.4.6 (Medium Density Residential Zone).
- Boundary Fences and Walls: We support fencing and walls standards, however, we seek clarification and/or amendment to increase the maximum 1.5m height to 1.8m provided 50% of that part of the fence over 1.5m is visually permeable in cases for example where outdoor living areas that are northern orientated and/or adjoin the street/open space should maintain some form of privacy and screening in accordance with the District Plans objectives and policies. In addition, we seek clarification to retaining walls in exceedance of 1.5m-2.5m and 2.51m-3.5m requiring a horizontal step of at least 1m depth that could compromise usable land area for such as areas for outdoor living, buildings, vehicle access and service areas, etc.
- Public Interface: We support public interface standards, however, we seek clarification and/or amendment to reduce the minimum 20% to 10% and/or include any upper-floor level glazing that overlooks the street to provide CPTED principles. In addition, we seek clarification for developments comprising of 4 or more residential units requiring a pedestrian access from a transport corridor to the front door entrance of each residential unit, ensuring this only applies to street fronting residential units and not rear units/sites where this is not practical.
- Outlook Space: We support outlook space standards, however, we seek clarification and/or amendment to reduce the minimum 4m depth and 4m width where this could contradict with the minimum outdoor living area minimum 3m dimension that would likely cause issues of 1m encroachments over property boundaries for example.
- Outdoor Living Area: We support outdoor living area standards, however, we seek clarification and/or amendment to removing 'for four or more residential units,' is accessible from the principal living room as this should apply to all residential units to provide suitable on-site amenity and urban design.
- Waste Management and Service Areas: We support service area standards, however, we seek clarification and/or amendment to remove 'clothes drying areas shall have direct access from each residential unit' where clothes drying areas are now defined as an ancillary residential structure. In addition, we seek clarification and/or amendment to reference the need for waste container plans to be required for apartment developments under Body Corporate management.
- Storage Areas: We support the intention behind storage area standards, however, we seek clarification and/or amendment to minimum volumes where they contradict the minimum dimensions, for example, 1.2m x 1.8m equating to 2.2sqm, below all minimum volumes. In addition, we believe the minimum 1.8m height can be amended to reference height and/or width for storage areas that can be utilised as suspended type storage boxes.

- Accessory Buildings, Vehicle Access and Vehicle Parking: We support the intention of these standards, however, we seek clarification and/or amendment to the provide a balance between permeable frontage and compliant vehicle driveway access.
- Built Form: We support the built form standards.
- Universal Access: We support universal access standards, however, we seek clarification and/or amendments to ensure that these standards are consistent with generic universal access design standards.

- Chapters 6 (Business 1 to 7 Zones) and 7 (Central City Zone):
  - We are in general support the building height and density standards proposed, however, we seek similar clarification and/or amendments to outlook space and storage areas (as per Chapter 4 above).
- Chapter 23 - Subdivision:
  - Subdivision within a Historic Heritage Area: We support the intention behind subdivision within a Historic Heritage Area, however, we seek clarification and/or amendment to reducing its activity status to Restricted Discretionary as opposed to Discretionary where the effects of the subdivision is merely notional around the existing lawfully established dwellings and/or in accordance with a land use consent. In addition, we seek to retain Subdivision containing a Historic Heritage Site as a Discretionary activity where this is different to the historic heritage area overlay.
  - We support Fee Simple Subdivision around existing residential units or in accordance with a land use resource consent as a Controlled Activity and for vacant Lots as a Restricted Discretionary Activity.
  - Subdivision in the Medium Density Residential Zones: We support standard 23.6.8.
  - Rule 23.7.1 - Allotment Size and Shape:
    - General Residential Zone: We support the minimum 300sqm net site area for vacant Lots within the General Residential Zone (unless otherwise stated) to be retained, however, we seek clarification and/or amendment to reduce the minimum 15m diameter shape factor circle to 13m where a compliant dwelling can comply with the 15m transport corridor frontage for vacant Lots and side yard setbacks, as well as aligning with other District Plans (e.g. Waipa/Waikato).
    - General Residential Zone within Historic Heritage Area (unless otherwise stated): We are in general support for subdivision within the historic heritage area, however we seek clarification and/or amendment to reduce the minimum Lot size to 300sqm - 400sqm for vacant Lots only or shall not apply for subdivision around existing lawfully established residential units (as per normal subdivision within the General Residential Zone), provided that compliance is achieved with the relevant District Plan standards or otherwise authorised land use resource consent. Our reason to reduce the Lot size is to utilise the underlying existing residential land efficiently whilst not compromising the standards of the Historic Heritage Area that presents to the streetscape and neighbouring properties. For example, properties of 800sqm land area with houses with suitable backyard space that can be subdivided off and utilised for a second residential unit will be ultimately compromised by the overly restrictive Lot size for the street-fronting Lot that may not require 600sqm net site area. Any effects on the subdivision are merely incidental to the existing land use.
  - Rule 23.3.7.2 - Subdivision Suitability: We support subdivision suitability standards.
  - Rule 23.7.3, 23.7.4 and 23.7.5- General Residential Zone, Medium Density Residential Zone and High Density Residential Zone: We support general residential zone standards, however, we seek clarification and/or amendment to reduce the minimum legal width for 1-6 allotments back to 3.6m where this could impact on the ability to provide compliant 200sqm

net site areas for residential units for example; particularly where services and vehicle access can be provided within this standard. In addition, we seek clarification to the intention behind 'rear lanes'.

- Chapter 24 and Appendix 18- Financial Contributions: We support the intention behind financial contributions, however, we seek clarification regarding the figures for three waters/transport infrastructure network, residential amenity and Te Ture Whaimana and for what specific residential development locations this applies to.
- Chapter 25.13 - Three Waters: We generally support the intention of the standards proposed under the Three Waters, however, we seek clarification as to stormwater disposal within residential zones for redevelopment of existing impermeable surfaces.
- Chapter 25.14 - Transportation:
    - Design and Access Widths: We support the minimum-maximum vehicle crossing widths to be retained. We support in part the minimum internal vehicle access widths, however, we seek clarification and/or amendments to reduce the minimum 3.5m formation and 4m legal widths back to 3.0m formation and 3.6m legal widths where this could impact on the ability to provide compliant 200sqm net site areas for development. We seek clarification to the interpretation to 'rear lanes' and/or amend the standards to remove reference to have access to a transport corridor in at least two locations, for example for front narrow properties where only one location is practical.
    - Driveway Visibility: We support driveway visibility standard and Figure 25.14.4.1e.

Should any further information be required, please do not hesitate to contact the undersigned writer. Otherwise, we look forward to Councils response.

Yours faithfully,

Sam Shears
Intermediate Planner, B.UrbPlan(Hons), Int.NZPI

Matthew Grant
Architect, FNZIA