

From: info@waipadc.govt.nz
Sent: Friday, 30 September 2022 2:17 pm
To: Policy Shared
Subject: External Sender: Waipā District Plan - Plan Change Submission Form 5 - Paul & Belinda Overdevest

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Full name of submitter Paul & Belinda Overdevest
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Address for service 682 Alexandra Street, Te Awamutu 3800

Contact phone number 64-0275871454

This is a submission on the following proposed plan change to the Waipā District Plan
Proposed Plan Change 26 – Residential Zone Intensification

Could you gain an advantage in trade competition through this submission? I could not

Are you directly affected by an effect of the subject matter that - (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition? I am

Do you wish to be heard (attend and speak at the Council hearing) in support of your submission? I do

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

Do you support the proposed change(s)? I support in part

The specific provisions of the plan change my submission relates to are (give details):

WDC plan notification: Appendix 3 – Assessment of New Qualifying Matters: Table 4: Expanding character cluster areas.

My submission is

It is understood the Governments amendment to the resource Management Act and new prescribed standards in the Act for Medium Density Residential Standards (MDRS) cannot be legally challenged by Waipa District Council (WDC) but their implementation, or limiting their implementation via the 'qualifying matters' can be. I understand WDC are proposing to have a qualifying matter overlay over them meaning that WDC is intended to modify the new standards to address the qualifying matter/s.

WDC have publicly advised that one of these qualifying matters intended to progress is a new proposed Character Cluster / houses overlay of which, we have been notified that we are an affected party having been identified as a new Character house within WDC's commissioned review per Appendix 4 Character Review: Alexandra Street Cluster being 682 Alexandra Street, and subsequent WDC plan notification: Appendix 3 – Assessment of New Qualifying Matters: Table 4: Expanding character cluster areas.

The new character cluster houses have been shown by site on new planning map 59 'Character Clusters – Te Awamutu': 682, 710 and 795 Alexandra Street, Te Awamutu.

Concerns with the Character Overlay:

On review of the Qualifying Matters, we are submitting against the new proposed Character Cluster / houses overlay.

WDC have completed a character review by an independent Architect that made recommendations resulting in our property amongst others, being included as a new proposed Character Cluster / houses overlay and added to a new proposed planning map 59 'Character Clusters – Te Awamutu with all the associated controls.

This was undertaken by means of a desk top review, and Physical street review of residential areas - a 'drive by' assessment and a report produced. The report acknowledged this method and noted the process may have missed other heritage/character properties: 'The report is limited in nature owing to the tight timeframe for the review and reporting work, and therefore there will be some character houses and character residential areas that have been overlooked'. On review of the new planning map 59 'Character Clusters – Te Awamutu', it is noted that a number of character properties have been missed, or excluded from the review, and subsequently from the new proposed Character Cluster / houses overlay.

Refer to the appended pdf Review Of Character Properties in addition to the 'In Scope' Character Overlay – a review of the properties in addition to the 'In Scope' Character Overlay assessed against the character criteria per Appendix 4 Character Area Review: Section 3 – Characteristics, as a selection of properties that reflect many aspects of that criteria and could be considered to be of equal or similar historical association or architectural merit to the sample selection as identified in the review for Te Awamutu.

Reasons why I have concerns:

What was then included by WDC in Appendix 4 Character Area Review: as based on this report recommendations has become 'in-scope'. I am wanting to submit against the validity & suitability of the report and would propose that additional properties of equal or similar historical association or architectural merit to those recommended and included be added (where considered to be 'out-of-scope'), or the qualifying matter: new proposed Character Cluster / houses overlay set aside and a more comprehensive character/heritage report is completed.

This is on the basis that the outcome of the new proposed Character Cluster / houses overlay is inequitable where completed without agreement of the property owner, or compensation offered for loss and for reason that:

1. The property is not listed within an existing character or heritage overlay that I would have accepted in purchasing the property 20 years ago and would have accepted that existing character or heritage overlay controls would have applied.
2. The new proposed Character Cluster / houses overlay / report is limited in nature owing to the tight timeframe as the report has not completed a full and comprehensive review of the towns stock.
3. The new proposed Character Cluster / houses overlay will result in the loss of property rights for my 'in- scope' property that re otherwise attributed to all other residential properties (incl other character houses not noted within the review),
4. The new proposed Character Cluster / houses overlay will result in the loss of either private or commercial development opportunity, and
5. The Proposed Plan Change 26 – Residential Zone Intensification rules will subject the newly identified character properties within the new proposed Character Cluster / houses overlay to the application of new onerous planning standards applied to a select group of newly identified character properties, AND subsequent adjoining properties to those identified in the new proposed Character Cluster / houses overlay

I seek the following decision/s from Council

Decisions requested from the Council in response:

In making this submission, the decisions I would be requesting of WDC can be summarised as:

1. That my property be removed from the new proposed Character Cluster / houses overlay, and reject the report recommendationbe considered for inclusion on the Heritage Schedule... as there has been no substantive analysis

provided to demonstrate the property should be included within a character overlay as a character house or within a Heritage Schedule, or **57**

2. Seek the new proposed Character Cluster / houses overlay and new planning map 59 'Character Clusters – Te Awamutu is set aside or withdrawn and a more substantive analysis / review to be undertaken (for as noted in Appendix 4 Character Review: a number of both stand-alone and heritage cluster houses that are worthy of further investigation for inclusion on the heritage schedule may have been missed in this review owing to time constraints), for consultation with the full community and agreement before our property rights are removed via the reactive measure to the amended Act / new MDRS rules in the proposed qualifying matter, or/and

3. Subject the above items and subject that the our property is to be included within the implementation of a new Character overlay, in being on a large ½ acre site within the township, WDC acknowledge that the rear yard of the site is subdividable as of right (an approx development area of 750m² - 800m²), provide as compensation a new registered title free of development or financial contributions and provide confirmation that there is no limitation under the 'qualifying matters' to carrying out the subdivision / development work at the rear at a future date under the new Medium Density Residential Standards that would apply to non-character sites (>600m²) – to wave the proposed new controls for the development of Character Properties and requirement for obtaining a Resource Consent to develop the rear of the site as the possible site area is not visible from the streetscape. This would satisfy WDC Policy - Character clusters - 2.3.1.4 - To maintain and enhance the identified character of each character cluster and maintain streetscape.

Attachments

[Submission to the Proposed Plan Change 26 – Residential Zone Intensification.pdf](#)

Submission to the Proposed Plan Change 26 – Residential Zone Intensification

Submitted by:

Paul Overdevest, 682 Allexandra Street, Te Awamutu

It is understood the Governments amendment to the resource Management Act and new prescribed standards in the Act for Medium Density Residential Standards (MDRS) cannot be legally challenged by Waipa District Council (WDC) but their implementation, or limiting their implementation via the 'qualifying matters' can be. I understand WDC are proposing to have a qualifying matter overlay over them meaning that WDC is intended to modify the new standards to address the qualifying matter/s.

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This was undertaken by means of a desk top review, and *Physical street review of residential areas* - a 'drive by' assessment and a report produced. The report acknowledged this method and noted the process may have missed other heritage/character properties: *'The report is limited in nature owing to the tight timeframe for the review and reporting work, and therefore there will be some character houses and character residential areas that have been overlooked'*. On review of the new planning map 59 'Character Clusters – Te Awamutu', it is noted that a number of character properties have been missed, or excluded from the review, and subsequently from the new *proposed Character Cluster / houses overlay*.

Refer to the appended pdf *Review Of Character Properties in addition to the 'In Scope' Character Overlay* – a review of the properties in addition to the 'In Scope' Character Overlay assessed against the character criteria per Appendix 4 Character Area Review: Section 3 – Characteristics, as a selection of properties that reflect many aspects of that criteria and could be considered to be of equal or similar historical association or architectural merit to the sample selection as identified in the review for Te Awamutu.

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This is on the basis that the outcome of the new *proposed Character Cluster / houses overlay* is inequitable where completed without agreement of the property owner, or compensation offered for loss and for reason that:

1. The property is not listed within an *existing character or heritage overlay* that I would have accepted in purchasing the property 20 years ago and would have accepted that *existing character or heritage overlay* controls would have applied.
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3. The new *proposed Character Cluster / houses overlay* will result in the loss of property rights for my 'in-scope' property that re otherwise attributed to all other residential properties (*incl other character houses not noted within the review*),
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Decisions requested from the Council in response:



In making this submission, the decisions I would be requesting of WDC can be summarised as:





1. That my property be removed from the new *proposed Character Cluster / houses overlay*, and reject the report recommendation *....be considered for inclusion on the Heritage Schedule* as there has been no substantive analysis provided to demonstrate the property should be included within a character overlay as a character house or within a *Heritage Schedule*, or
2. Seek the new *proposed Character Cluster / houses overlay* and new planning map 59 'Character Clusters – Te Awamutu is set aside or withdrawn and a more substantive analysis / review to be undertaken (for as noted in Appendix 4 Character Review: *a number of both stand-alone and heritage cluster houses that are worthy of further investigation for inclusion on the heritage schedule may have been missed in this review owing to time constraints*), for consultation with the full community and agreement before our property rights are removed via the reactive measure to the amended Act / new MDRS rules in the proposed qualifying matter, or/and
3. Subject the above items and subject that the our property is to be included within the implementation of a new Character overlay, in being on a large ½ acre site within the township, WDC acknowledge that the rear yard of the site is subdividable as of right (*an approx development area of 750m2 - 800m2*), provide as compensation a new *registered title free of development or financial contributions* and provide confirmation that there is no limitation under the 'qualifying matters' to carrying out the subdivision / development work at the rear at a future date under the *new* Medium Density Residential Standards that would apply to *non-character sites* (>600m2) – to wave the proposed new controls for the development of Character Properties and requirement for obtaining a Resource Consent to develop the rear of the site as the possible site area is not visible from the streetscape. This would satisfy WDC Policy - Character clusters - 2.3.1.4 - To maintain and enhance the identified character of each character cluster and maintain streetscape.

MDRS Qualifying Matters Character Overlay- Review Of Character Properties in addition to the 'In Scope' Character Overlay

In preparing this review of the properties in addition to the 'In Scope' Character Overlay, the below selection of properties proposed have been assessed against the character criteria per Appendix 4 Character Area Review: Section 3 – Characteristics. The properties setout below are a selection of properties that reflect many aspects of that criteria and could be considered to be of equal or similar *historical association or architectural merit* to the sample selection as identified in the review for Te Awamutu – the example of new Bank Street character cluster and Downs Street character cluster presented within Appendix 4 Character Area Review, and included within Proposed Plan Change 26 - Plan Change and Section 32 Report: Appendix 3 – Assessment of New Qualifying Matters: Table 4: Expanding character cluster areas.

It is noted that some of the properties included below have been poorly altered or maintained over their history, however as stated in the report, these can effectively be restored and remodelled to a style authentic to their original age.

Map Item	Property Location_Brief	Photo
	<i>Refer to appended marked planning map 59 'Character Clusters – Te Awamutu with additional 'In Scope' properties as assessed.</i>	
01	923 Alexandra Street_Timber Villa on full site	
02	1201 Alexandra Steet_Double bay timber Villa on full site	

03	<p>47 Tawhiao Street_first brick house in Te Awamutu_Flat Front Villa. Museum image accession No PH3697 Appendix N1 - Heritage Items Ref# 46</p> <p>Note I am aware that this property is already listed as a Heritage site and I was unable to remove - for information only.</p>	
04	546 Mahoe Street_Timber Villa	
05	771 Mahoe Street_Plaster Bungalow	
06	803 Mahoe Street-Large Timber Villa on full site.	

07	529 Goodfellow Street_Timber Cottage	
08	College Street Timber Cottages Cluster	
09	478 Teasdale Street – large Timber Villa on full site	
10	655 Teasdale Street – large Timber Villa on full site	

11	114 Downes Street_Art deco on full site in close proximity to 'cluster' as identified – Community house poorly maintained	
12	88 Wallace Terrace_large Art deco	
13	365 Wallace Terrace_large Art deco	
14	139 Riwi Street_Timber Villa	

15

213 Riwi Street_large Art deco on large site





16

Riwi Street prominent cluster mix of timber cottages, Bungalows and Villas defining a character streetscape not unlike the *existing* College Street Cluster

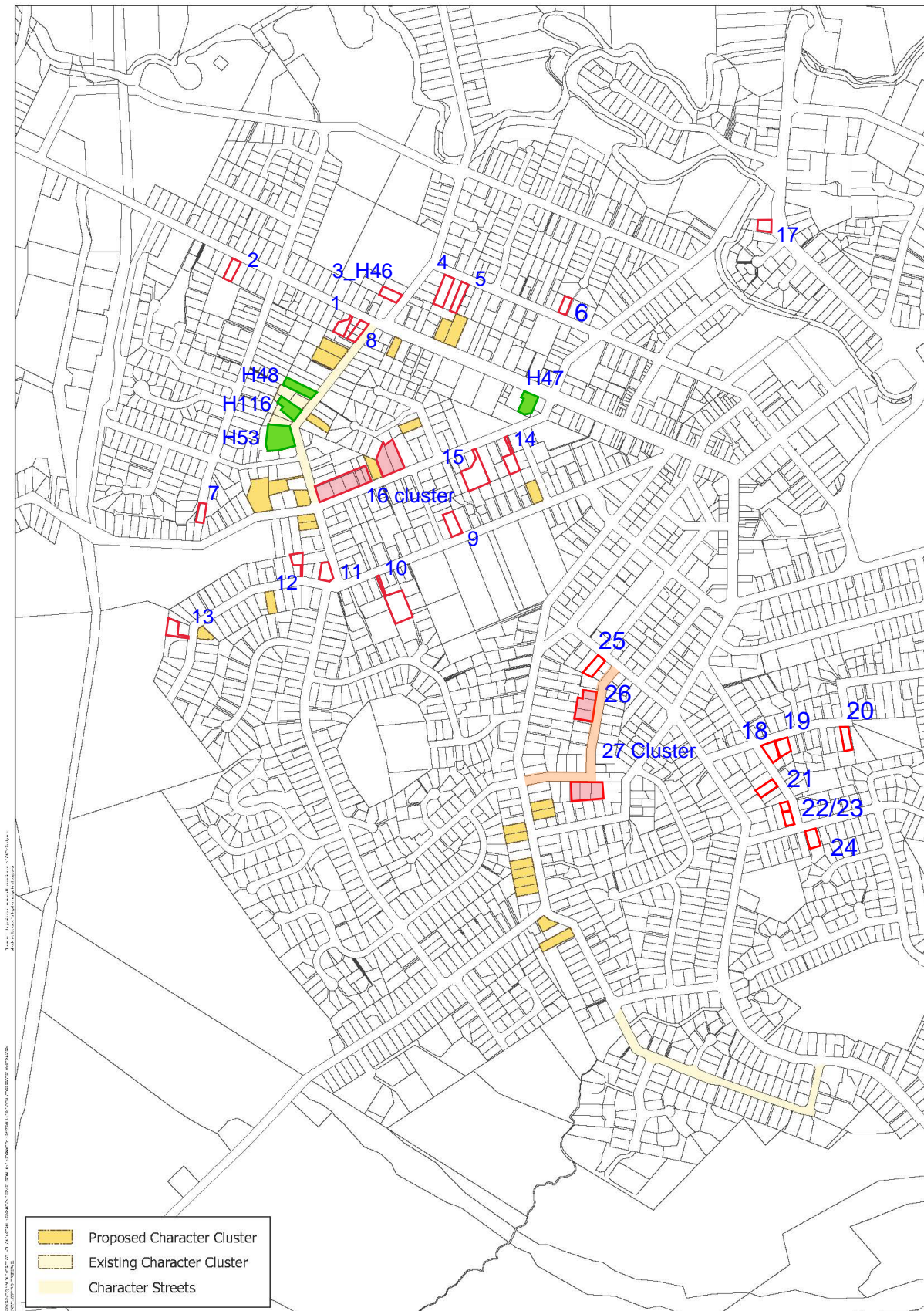




17	365 Ohaupo Road_Timber weatherboard double bay villa		57
18	122 Mandeno Steet_Timber Bay Villa		
19	152 Mandeno Steet_Timber Bungalow		
20	310 Mandeno Steet_Timber Bay Villa		

21	312 Carlton Street_Timber Bay Villa	
22	348 Carlton Street_Timber Cottage	
23	93 Raikes Ave_Timber Bay Villa	
24	138 Raikes Ave_Art deco on large site	

25	177 Bradey Street_Circa 1939 double brick bay villa on full site	
26	62 Young Street__Plaster Bungalo	
27	Young Street prominent cluster mix of timber/plaster Bungalows (incl item 26 above) defining a character streetscape not unlike the <i>existing</i> College Street Cluster	 



Map 59

Character Clusters - Te Awamutu

Waipā District Plan

As Proposed by Plan Change 26

