BEFORE THE REGULATORY COMMITTEE OF WAIPA DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991 (Act)

AND

IN THE MATTER of an application for resource consent under Section 88

of the Act for a compact housing development located at

47 Coleridge Street, Cambridge

BETWEEN MERIDIAN ASSET MANAGEMENT

Applicant

AND WAIPA DISTRICT COUNCIL

Consent Authority

STATEMENT OF EVIDENCE OF MARK BULPITT CHRISP ON BEHALF OF APPLICANT

(Planning)

Dated: 30 APRIL 2021

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INTRODUCTION

- 1 My full name is Mark Bulpitt Chrisp. I am a Director and a Principal Environmental Planner in the Hamilton Office of Mitchell Daysh Ltd, a company which commenced operations on 1 October 2016 following a merger of Mitchell Partnerships Ltd and Environmental Management Services Ltd (of which I was a founding Director when the company was established in 1994 and remained so until the merger in 2016). I am currently serving as the Chairman of the Board of Mitchell Daysh Ltd.
- 2. In addition to my professional practice, I am an Honorary Lecturer in the Department of Geography, Tourism and Environmental Planning at the University of Waikato. I am also the Chairman of the Environmental Planning Advisory Board at the University of Waikato, which assists the Environmental Planning Programme in the Faculty of Arts and Social Sciences in understanding the educational, professional and research needs of planners.
- 3. I have a Master of Social Sciences degree in Resources and Environmental Planning from the University of Waikato (conferred in 1990) and have more than 30 years' experience as a Resource Management Planning Consultant.
- 4. I am a member of the New Zealand Planning Institute, the New Zealand Geothermal Association, and the Resource Management Law Association.
- I am a Certified Commissioner under the Ministry for the Environment's 'Making Good Decisions' course.
- I have appeared as an Expert Planning Witness in numerous Council and Environment Court hearings, as well as several Boards of Inquiry (most recently as the Expert Planning Witness for the Hawke's Bay Regional Investment Company Ltd's proposed Ruataniwha Water Storage Scheme).

- 7. I have been involved in a number of proposals for housing developments throughout my career including:
 - (a) St Kilda Residential Development in Cambridge including rezoning the land for residential purposes by way of a Private Plan Change to the Waipa District Plan, and various resource consents including, most recently, for eight residential apartments; and
 - (b) Currently assisting 3Ms of Cambridge with their Residential Development on Cambridge Road, Cambridge, which includes compact housing.
- 8. I did not prepare the resource consent application for this proposal.
- 9. I am familiar with the site at 47 Coleridge Street, Cambridge ("Site" or "Application Site").
- 10. In preparing this evidence I have reviewed:
 - (a) The resource consent application to Waipa District Council ("WDC") for Subdivision and Land Use Consent for a Compact Housing Development;
 - (b) The s 42A report released on the 21 April 2021 prepared by Ms Hayley Thomas for WDC ("s 42A Report"); and
 - (c) Submissions made with respect to the Application.

SCOPE OF EVIDENCE

- 11. I have been engaged by Meridian Asset Management ("the Applicant") to present planning evidence in relation to its Subdivision and Land Use Consent Application. Specifically, my evidence includes:
 - (a) A summary of the Application rationale and the demand for housing;
 - (b) An overview of the resource consents required;
 - (c) Amendments to the application, subdivision plan and architectural plans;
 - (d) Some comments on key matters raised in the s 42A Report;
 - (e) A response to issues raised in submissions;

- (f) Comments on the draft conditions within the s42a report; and
- (g) An overview of the Application against the relevant statutory planning documents and the Resource Management Act 1991 ("RMA").

CODE OF CONDUCT

- Whilst I appreciate that this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and I agree to comply with it.
- 13. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state that I have relied on the evidence of other persons. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

PROJECT RATIONAL AND DEVELOPMENT

Rationale and Local Market Demand

- 14. The areas of Hamilton, Cambridge and Te Awamutu are experiencing high levels of growth and there is significant demand for housing. Waipa is recognised as a Tier 1 Council in the National Policy Statement for Urban Development, which are the areas of highest growth within New Zealand.
- 15. In March 2021, the Real Estate Institute of New Zealand recorded that properties have been selling at auction at the fastest pace and have recorded the median house price for Waipa District to be \$801,000. [ref: REINZ, press release, 15 April 2021].
- In 2020, the Government responded to the increased house prices and the housing shortage by introducing the National Policy Statement for Urban Development ("NPS-UD"). This came into effect on the 20 August 2020. The aim of the policy is to ensure that New Zealand's towns and cities are well-functioning urban environments which meet the changing needs of communities. The NPS-UD directs local authorities to enable greater supply and respond to changes in demand, in locations that meet

the needs of communities and encourages well-functioning, liveable urban environments. It also requires councils to remove overly restrictive rules that affect urban development outcomes in our cities.

- 17. This proposal recognises the need for additional housing by replacing one dwelling with ten dwellings within the space of seven footprints. The site is suitable for the development for the following reasons:
 - (a) The site is of an appropriate area to meet the criteria for a compact development (minimum 2,000m²);
 - (b) Suitable and safe access can be achieved;
 - (c) It is within an existing serviced area (waste and wastewater);
 - (d) It is suitable for the construction of dwellings and not subject to hazards which cannot be managed;
 - (e) Within walking distance of local shops reducing reliance on vehicles; and
 - (f) Within walking distance of a Council reserve for recreation.
- 18. These factors all combine to provide a very strong rationale for this proposal.

RESOURCE CONSENT APPLICATIONS

- 19. A detailed description of the consents required to authorise the various activities associated with the proposed compact housing development, is contained in Section 4 of the Application and in Section 4 of WDC's s42A report.
- 20. I generally agree with the District Plan rule assessment within the Notification Report, however, disagree that it should be assessed against Rule 15.4.2.1(a) which refers to minimum lot areas of 500m² (general subdivision rule). The rule specifically states that this does not relate to compact housing (the activity, not specifically the policy area), and instead the rule table has Rule 15.4.2.1(b) for Residential Zone compact housing. Rule 15.4.2.1(b) relates back to Rule 2.4.2.43 which is the generic compact housing rule, therefore it is my view that there is no minimum or maximum lot area applicable for compact housing. I do not agree that it is a Non-Complying Activity to subdivide a compact housing development.

- 21. The Notification Assessment states that 200 vehicle movements will be generated from the site per day, however the s42a Report by Ms Thomas corrects this in stating that is an error and should read 100vmpd. I agree that it appears to be an error and 100vmpd is appropriate (and if anything, like to be a very conservative, that is high, assessment given the smaller than average size of the dwellings).
- 22. The s42a report has confirmed that Council's Development Engineer has no concerns with the safety and efficiency of the roading network.
 Council's Planner has therefore confirmed that any adverse effects on the roading network as a result of the proposal can be mitigated to a suitable level.
- 23. Council's Development Engineer has also confirmed that any adverse effects on infrastructure will be acceptable and can be mitigated by consent conditions.
- 24. Notification proceeded to eight parties on the basis of no more than minor character and amenity effects. Although Council's Planner appeared to generally agree that the development was comprehensively designed and included a mix of aesthetically pleasing dwelling designs, functional onsite amenity, with attempts to blend the development with the surrounding environment; it would contribute to a noticeable change the existing character and amenity.
- 25. Subdivision and Land use consent has been sought for a compact housing development as a Non-Complying Activity due to the decrease in the road boundary setback.
- 26. Also, as the Application Site is within the Residential Zone under the District Plan, and compact housing of seven or more dwellings per site outside of the compact housing overlay is expressly provided for as a Discretionary Activity within the Residential Zone, the activities proposed are appropriate for both the Site and the surrounding residential environment, subject to the appropriate management of actual and potential environmental effects.
- 27. The Application was limited notified by WDC and seven submissions have

been received in opposition to the Application.

AMENDMENTS TO THE APPLICATION AND PLANS

- 28. Following the receipt of submissions, the design of the compact housing development was reviewed to respond and resolve the matters raised.

 The following changes have been made:
 - (a) The proposed show home is now withdrawn from the application;
 - (b) All dwellings have space for two 99.8 percentile vehicles to park within their property. This meets the standard of a greenfield development (2 per dwelling), rather than the compact housing standard (1 per unit);
 - (c) Two additional visitor parks have been provided (giving a total of 6 parks);
 - (d) The right of way paved width has been reduced to 5m which reduces the amount of hard surface visible from Coleridge Street and will allow units 1 to 3 to move south slightly away from adjoining properties;
 - (e) Increase of the boundary setback for the following units:
 - Unit 1 from 2.019m to 2.824m (moved 805mm south)
 - Unit 2 from 2.235m to 2.818m (moved 583mm south)
 - Unit 3 from 2.461m to 2.744m (moved 283mm south);
 - (f) Privacy measures have been added to the second storey windows on the eastern side of Unit 5, which includes tinted glass and louvres;
 - (g) A new fence added to the plans on the Coleridge Street frontage,which has a consistent appearance to the dwellings;
 - (h) Additional trees to be added to the property at the front of Unit 1, and also within the road berm (type and species to be agreed with Council);
 - (i) Additional landscaping is proposed along the southern boundary (alongside 49 & 51 Coleridge Street), around the outdoor storage area and within the car park area in the centre of the turnaround

- which will soften the appearance of the development;
- (j) Provide for pedestrians by creating a low-speed environment and adding some strips of paving or aggregate at intervals along the access (this will not be judder bars or speed bumps); and
- (k) The permeable area over the entire development has increased allowing additional area of grass and gardens, which results from a reduction in hard surface (right of way).
- 29. The amended development plans and subdivision scheme plan have been electronically circulated to all submitters in mid-April by Council.

KEY MATTERS RAISED IN THE S 42A REPORT

Consultation

30. As commented on by Ms Thomas in Section 7.7 of the s42A Report, the application containing the Planner assessment determined that no parties were adversely affected by the proposal. As Council determined some parties affected, the RMA requires a consultation process to occur as part of the notification process. This has been followed accordingly.

Effects and the Permitted Baseline

- 31. The Regulatory Committee will be aware that section 104(2) of the RMA affords a consent authority discretion to disregard an adverse effect of an activity on the environment if a national environmental standard or the relevant plan permits an activity with that effect.
- 32. At Section 6.2 of the s42A Report, Ms Thomas summarises WDC's notification assessment including reference to the conclusions that the permitted baseline activities applicable to this Application include that the site could accommodate 4 to 5 dwellings on the site as a Permitted Activity. I concur with this and record that it is also open to the Regulatory Committee to apply the described permitted baseline to this Application in accordance with s104(2) of the RMA. This means that it is open to the Regulatory Committee to disregard any adverse effects relevant to the Application under s 104(1)(a) that are permitted for five dwellings on 500m² net site area.

- 33. I expand further here with regards to the permitted baseline and its effects.
- 34. Residential Zone Rule 2.4.1.1(c) allows one principle dwelling per 500m² net site area. This does not include a subdivision and therefore is only subject predominantly to Section 2 of the District Plan, with some rules in Section 15 being applicable.
- 35. Building consents could be applied for, and issued, for five dwellings on the site, as the new site area of 500m² for each dwelling could be achieved. No RMA process would be required. The dwellings could be second hand relocated dwellings, prefabricated dwellings or new builds. The access could be located to the south of the site. The applicable rules would be 40% maximum site coverage, 60% maximum impermeable area, 60m² outdoor living areas, boundary setbacks of 2m and one at 1.5m with a 4m road boundary setback (5m to the garage) and, daylight control planes of 2.7m and 45-degree angle, and a maximum height of 9m.
- A proposed layout is attached in Appendix A showing five dwellings on the site which are 40% of the net lot area shown, with a 60m² outdoor living area. The appropriate setbacks are also shown. These dwellings would not be on individual titles and all dwellings would be in single ownership. The dwellings could also be two storied dwellings up to 9m in height.
- 37. As part of the permitted baseline example there would be the following effects: -
 - (a) Clearance of the existing dwelling and trees on the site;
 - (b) Disestablishment and abandonment of the existing wastewater connection and establishment of a new connection;
 - (c) Construction effects such as temporary noise and vibration, possible minor disruption to power and telecommunications networks:
 - (d) Increase in density on the site from that existing currently (4 additional homes):
 - (e) Increase in traffic utilising Coleridge Street by up to 40 additional vehicle movements per day (10vmpd existing);
 - (f) Four additional rubbish bins on the berm;

- (g) No requirement to allow for visitor car parking within the development meaning that visitor parking would occur on the street (max 10 car parks total would be required);
- (h) The dwellings would likely be larger and could achieve four bedrooms, or possibly five bedrooms if it was two storied, provided they did not exceed 40% of the net site area;
- (i) The dwellings within the lots could establish between 1.5m and 2m from the internal boundaries subject to compliance with the height recession plane, and the dwellings could also be two storied and up to 9m high;
- (j) Outdoor living areas can be positioned north, east or west on the site adjoining boundaries;
- (k) As there is no land use or subdivision requirements, the built form of the dwellings, landscaping, fencing and any additional urban development controls are not managed by Council and would be developer lead.
- 38. It is my opinion that the permitted development has similar effects with regards to clearance of the site including the loss of the trees and existing dwelling, disestablishment of the wastewater connection and can be disregarded on this basis.
- 39. The entirety of the construction phase cannot be disregarded as part of the permitted baseline, as 10 units within 7 footprints is still likely to have a longer construction period.
- 40. With regards to 41 Coleridge Street, a permitted arrangement would result in three dwellings adjoining the boundary. The dwellings can be setback 1.5m from the internal boundary with this property and it would be likely that some or all of these dwellings are two storied (master bedroom above and setback from ground floor roofline to comply with daylight angle) and have their outdoor living area to the north, which adjoins this property.
- 41. With regards to 43 Coleridge Street, one dwelling would adjoin on the permitted layout, which is 1.5m setback from the boundary. The outdoor living area would adjoin at the south western corner. This dwelling would be positioned 1.324m closer than Unit 1 of the proposed compact housing development.

- 42. With regards to 49 Coleridge Street, all five dwellings would utilise the access adjoining this property. The dwellings are larger dwellings (possibly four or five bedrooms) and could have a similar number of occupants to the overall compact housing development. The District Plan determined the number of vehicle movements to be 10 vehicles per day per dwelling, which would be anticipated to be 50 movements total utilising this access. This is less than the 100vmpd anticipated in the compact housing development. However, there would be no requirement to upgrade the entrance or internal access to the site as the permitted baseline example is not part of a consenting process. No measures would be used internally to slow traffic prior to exiting the site and no visual and noise mitigation would be installed along the boundary.
- 43. With regards to the property located at 39 Coleridge Street, the view across the south west of the site could be a two storied dwelling which would have a northern aspect with windows facing this property. The privacy and amenity effects on this property are unchanged between the permitted baseline and the proposed development.
- 44. With regards to the properties at 8 and 9 Housman Place, the dwellings in the permitted baseline example have a significant portion of wall adjoining the properties. They could also be two storied and overlook into those properties, depending on whether the trees were retained near to this boundary. Outdoor living areas adjoin the boundaries. The overall area of the footprint of the compact development in comparison to the permitted baseline example is not dissimilar.
- 45. With regards to the property at 25A Coleridge Street, the permitted baseline example shows two dwellings and their outdoor living areas instead of four which is proposed in the compact housing proposal. The dwellings which are proposed included two sets of duplexes and one standalone, reducing the bulk of the overall development in relation to this property. These two dwellings can be two storied and 9m in height, and as mentioned previously it could be likely that the master bedroom is on the second level, as well as a small balcony. The effects here are not dissimilar to the permitted baseline example.

46. When considering the reduced scale of each of the dwellings, and the duplex arrangement of Units 5 and 6, 7 and 8, and 9 and 10, it would not be fanciful to suggest that the outcome of the proposed compact housing development has similar effects to that of five permitted four or five bedroom two storied dwellings. The adverse effects from the proposal such as the site clearance, disconnection and reconnection of services, and amenity are all similar in relation to both proposals.

PLANNING MATTERS RAISED IN SUBMISSIONS

- 47. Seven submissions were received during the statutory submission period.

 All submissions were in opposition.
 - (a) Scott and Cameron Dargaville of 25A Coleridge Street;
 - (b) Peter and Susannah Hobman of 39 Coleridge Street;
 - (c) Amanda and Arvin Dela Cruz of 41 Coleridge Street;
 - (d) Margaret and Craig Pilkington of 43 Coleridge Street;
 - (e) JB & J McComb of 49 Coleridge Street;
 - (f) Andrew Annear of 8 Housman Place; and
 - (g) Caroline and Gustave Pfeiffer of 9 Housman Place.
- 48. Planning matters raised in submissions are limited to the following:
 - (a) Traffic;
 - (b) Car parking;
 - (c) Amenity Density;
 - (d) Amenity Privacy and quality of life;
 - (e) Noise;
 - (f) Removal of wastewater connection;
 - (g) Stormwater;
 - (h) Removal of trees;
 - (i) Reduced road setback;
 - (j) Show home;
 - (k) Construction effects;
 - (I) Rubbish collection;
 - (m) Water pressure; and
 - (n) Loss of property value.

49. The general detail of the above submissions were similar. I address these matters in turn below.

Traffic

- 50. The submissions have concerns with up to 200 vehicles per day travelling along Coleridge Street, with regards to the width of Coleridge Street and access for emergency vehicles when cars are parked on the road; and also restricted sight lines from the entrance to the intersection.
- 51. The application documents state that 100 vehicles per day are anticipated, which is consistent with the requirements for standard dwellings rather than the reduced size for compact housing. It is my opinion that 100 vehicles per day for 10 units is an appropriate, of not over, representation for this development using Appendix T6 in the District Plan as guidance.
- 52. Council's s42a Report states that the 200 vmpd stated in Council's Notification Report was an error.
- 53. The proposed show home has been withdrawn from the proposal whereby there will be no traffic generation from that activity.
- 54. The Applicant has engaged Ms Makinson (Traffic Engineer at CKL) to complete a Traffic Assessment of the entrance and sight distances, as well as carparking. The memo, which is in Appendix B, confirms the following:
 - (a) Based on Waka Kotahi Research Report, one of the most onerous trip generation rates, the development would be expected to generate 109 vehicle movements per day;
 - (b) RTS 6 Guideline for the Visibility at Driveways requires a 40m visibility for all crossings at local roads. This is achieved from the entrance.
 - (c) Rule 16.4.2.5 of the District Plan required a crossing to be at least 30m from an intersection on a local road. The existing crossing is 54m from Byron Street intersection and over 100m from Raleigh

- Street. It is also more than 11m from the adjacent crossings on the western side of Coleridge Street. The crossing complies with this standard.
- (d) Rule 16.4.2.4 requires appropriate access to be provided to all sites. The Regional Infrastructure Technical Specifications (RITS) requires 3-5.5m wide entrance. The entrance is 5m wide and complies.
- 55. Based on Ms Makinson's assessment, the proposal meets the relevant requirements to achieve a safe entrance and visibility as required in the District Plan. It is my opinion that 100vmpd is generous for this development, however I have accepted Ms Makinsons's assessment of 109vmpd for this application.

Carparking

- 56. Appendix T1 Minimum Parking, Loading and Unloading requires compact housing to provide a minimum and maximum of one space per unit. In addition, 0.2 spaces/dwelling is required for visitors. This would require 10 spaces plus two visitor parks over the development.
- 57. The proposal provides two spaces per unit, plus an additional six spaces for visitors. A total of 26 carparks will be provided for the development. This is an additional 14 carparks (four additional visitor parks and 10 additional unit parks) over the District Plan requirements.
- 58. The volume of car parking also exceeds the general residential requirements, which in accordance with Appendix T1 of the District Plan, would require 2 spaces per dwelling and no requirement to provide for visitors.
- 59. Ms Makinson has undertaken an assessment of the car parking demands for the length of Coleridge Street to determine the on-street parking rate. The on-street parking rate for Coleridge Street was determined to be one car parked on the street per 2.4 houses.
- 60. Ms Makinson's assessment states the following with regard to car parking:

- (a) There are four measurements of car parking that could be applied to assess the proposal, as follows:
 - the District Plan requirement for general residential activity requires two parking spaces per dwelling (20 spaces for the dwellings required in total). The proposed compact housing development complies with this requirement and provides 6 additional parks for visitors;
 - the District Plan requirement for general residential activity with an addition of visitor parking as per compact housing requires two parking spaces per dwelling (20 spaces for the dwellings required in total) plus 2 visitor parks. The proposed compact housing development complies with this requirement and provides 4 additional parks for visitors;
 - the District Plan requirement for general residential activity with an addition of visitor parking as per the local Coleridge Street demand rate set out in the CKL Traffic Assessment requires two parking spaces per dwelling (20 spaces for the dwellings required in total) plus 4 visitors. The proposed compact housing development complies with this requirement and provides 2 additional parks for visitors; and
 - the most onerous local standards from the current Operative Waikato District Plan (being one of the adjoining Local Authorities) would require a total of 25 parking spaces (1 space per bedroom). The proposed compact housing development complies with this requirement and provides 1 additional park for visitors.
- (b) The proposed compact development proposes 26 parking spaces. Comparing this to the increasingly more onerous consideration of potential parking requirements shows that this value exceeded in all cases. Ms Makinson concludes by stating that there is no reasonable expectation of there being a need for on-street parking arising from the development.
- 61. Based on Ms Makinson's assessment, parking demand will be adequately accommodated onsite.

Amenity and General Density

- 62. Submitters have raised concerns that the proposed density is beyond that permitted in the District Plan and have indicated that only permitted activities should be acceptable on this site.
- 63. The permitted baseline is five dwellings on the site without subdivision. No land use consent would be required for this arrangement. This is shown within Appendix A and discussed in paragraphs 31 to 46 above.
- 64. It is my opinion that five dwellings on the site may not create a positive amenity outcome, particularly with regard to urban form, compared to the proposed compact housing development.
- As the site would not be subdivided, one, or possibly none of the dwellings would be owner occupied. Fences, driveways and landscaping can be ill-managed if there is no covenant controlling the upkeep of these items. It is unlikely a covenant would be registered addressing the required upkeep and maintenance of each of the property. This is generally registered with new titles of a subdivision.
- 66. The dwellings may not be designed cohesively and concurrently. They may be built one at a time and over a number of years which can lead to a mix of styles, cladding and materials, and overall condition of the homes over time. If an RMA consenting process if followed, the built form of all lots is designed and landscaping (including fencing near to the road) is also controlled to encourage a good outcome consistent with the area.
- 67. Submitters have also mentioned the possibility of infill housing. A proposal for infill housing has been drawn to illustrate the difference between the permitted baseline, and infill housing as a Restricted Discretionary Activity.
- 68. Council have recently consented three infill housing subdivisions
 (SP/0138/20 Fairburn Place, SP/0186/20 Tiaki Way, SP/0157/20 –
 Mandeno Street, Te Awamutu). These consist of three to six lots between
 350m² to 500m² and require house designs. All of the above-mentioned examples have not required any form of notification process or written

- approval request. There is no specific area, other than the Residential Zone, which these infill subdivisions need to occur.
- 69. Although not a permitted activity, infill subdivision council be achieved on this site with up to six lots on this property as a Discretionary Activity. Experience would suggest that no notification would be required, although it would be subject to usual s95 RMA assessment to confirm this.
- 70. The example of infill housing is attached as Appendix C.
- 71. It is my opinion that the outcome of the infill development is very similar to the proposed compact housing development with regard to density. A similar layout is proposed, similar point of access and density along external boundaries.

Amenity - Privacy and Quality of Life

- 72. The submission by Scott and Cameron Dargaville (25A Coleridge Street) states that there is concern with four units with windows overlooking into their property, and the outdoor living areas against the boundary. The submission draws the conclusion that this will result in a loss of privacy, unacceptable noise, constrain future development, and impact on the quality of life.
- 73. With regard to future property development, the property at 25A Coleridge Street would equally be able to develop via a compact housing development subject to consenting. The property could also consider infill housing with lots to 350m² or regular residential subdivision with 500m² lots (average of 600m²). Any dwellings which are positioned near to the rear of this boundary will face north (including outdoor living areas) to capture the sunlight, and will generally have bathrooms, laundries and garages at the south which is the common boundary with the compact housing development. If boundary setbacks are observed, then separation is achieved. In my opinion, it is unlikely that residential development adjoining the property will impact on future residential development at 25A Coleridge Street.
- 74. The submission by Arvin and Amanda Dela Cruz (41 Coleridge Street)

notes that they are concerned with the loss of privacy and 'extreme closeness' of Units 2, 3 and 4, and also in relation to any multi storey building which can view their outdoor living area. They also comment that their infant's bedroom is nearby. The existing outdoor living area for 47 Coleridge Street immediately adjoins the outdoor living area of this property, and the existing dwelling is two storied and also overlooks this property. In response to this, the boundary setback for Units 2 and 3 have been increased (as well as Unit 1), and louvres and tinting will cover the glass on Unit 5 to provide privacy.

- 75. The submission by Peter and Susannah Hobman (39 Coleridge Street) states that they are affected by a loss of privacy. The property at 39 Coleridge Street is separated by one property (41 Coleridge Street between), therefore I am unclear on how privacy will be affected. Unit 4 is a single level dwelling (nearest to the north-eastern corner of the site being the closest unit to 39 Coleridge Street), and Unit 5 (two level), which is the next dwelling along is another 10m into the property. The separation is generous for a residential environment.
- 76. The submission by James and Janet McComb (49 Coleridge Street) states that they will suffer loss of privacy by the vehicles travelling along their fence line. The access has been placed in a similar position to the existing access. A hedge has been proposed which will grow to a height of 1.8m, providing privacy.

Noise

77. Several submissions note that they have concerns with noise, however it is not clear whether this is construction noise or ongoing noise following occupation of the dwellings. Council's Notification assessment determines the noise effects to be less than minor. The Residential Zone is required to comply with the standards within Rule 2.4.2.25 Noise for ongoing noise, and construction is required to comply with the Construction Noise Standards. It is not clear why the submitters have determined these properties to generate more noise effects than other residential properties in the area.

Removal of the Wastewater connection

- 78. The wastewater connection and manhole are at the front of the property and within the road reserve. The wastewater line to the existing dwelling extends near to the northern boundary and at one-point crosses under the fence slightly. Cogswell Surveys have accurately determined the location of the line using GPS.
- 79. It is proposed to cap the line near the road boundary and connect into the existing pipe to create the new connection for the front dwelling.
- 80. The remaining pipe, which varies from 1.4m to 1.6m below ground, will remain in-situ and will be abandoned. This will create the least disruption to the site and will not disturb any surrounding properties.

Stormwater

- 81. Submitters have raised concerns regarding stormwater runoff as a result of the development. The submissions argue that a stormwater solution should be provided with the application.
- 82. Rule 15.4.2.20(a) of the District Plan requires stormwater from roads (including rights of way) to be disposed of at pre-development level.
- 83. Rule 15.4.2.20(b) of the District Plan requires stormwater from lots not vested in Council to be disposed of within the boundaries of the lots themselves. The building consents which will be applied for each dwelling will also require this.
- 84. As a condition of the consent, it is anticipated that the detailed stormwater design for the right of way will be required. This will need to be approved by Council Engineers.
- 85. It is my opinion that there is no risk to adjoining owners as a suitably qualified Engineer will need to design the stormwater system for each dwelling and the right of way to comply with Rule 15.4.2.20 and the Building Act. Council has multiple points of approval to ensure that the system is appropriate.

Removal of Trees

- 86. Submitters have raised concerns with the removal of mature trees within the site and insufficient space to establish planting of trees and private gardens.
- 87. The trees within the site are not protected in the District Plan and there is no other protection status requiring them to remain or preventing development.
- 88. The trees cannot remain because mature trees have large roots which span throughout the site. It is not possible to have services, formed access or structures on or near the roots due to continual growth and movement. The branches are also large and could cause a safety issue for occupants of the site. Unfortunately, they are not compatible with development on this site.
- 89. The proposed lots each achieve a minimum of 33.5% permeable area (Unit 9) and an average of 43.59% throughout the development. The average permeable area is consistent, and possibly above, that of a standard residential section. The entire development achieves a permeable area of 30.9%. On this basis, the area for grass and gardens to be established is adequate.
- 90. Additional landscaping is proposed alongside the access as well as in the visitor parking area. This adds to the cohesiveness of the development.
- 91. A specimen tree has been added to the front lawn of unit 1 to replace the mature trees within the site and add to the character of Coleridge Street.
- 92. The proposal also presents an opportunity to continue the tree lined corridor of Coleridge Street on the western side of the road reserve. Two trees of a similar species, could be planted on the road reserve with the agreement of Council.
- 93. The evidence of Mr Morné Hugo, confirms that the level of landscaping proposed is appropriate for this property to remain consistent with the surrounding development.

Reduced Road Boundary Setback

- 94. Submitters have raised concern that the road boundary setback should comply with the 4m setback requirement.
- 95. The road berm is large in this area, being approximately 12m width between the road formation and the road boundary of the property. The dwelling also steps out at the point of the chimney providing interest, as well as stepping back again where the master bedroom is located. This ensures that is it not a 'blank wall' that is encroaching. It provides interest to the design.
- 96. A reduced road boundary setback supports Crime Prevention Through Environmental Design by keeping more 'eyes to the street' and also keeping residents connected with others. From an urban design perspective, it is preferable to reduce this setback on this site.
- 97. The proposed setback is also consistent with majority of other dwellings on the western side of Coleridge Street as shown in the following photograph.



Photograph 1: View of the western side of Coleridge Street looking south from the driveway into 47 Coleridge Street

98. Mr Morné Hugo, Urban Design Consultant from Boffa Miskell, states in his evidence that the front yard setback is 'negligible' as there is high quality permeable fencing, hedging, and two street trees which will result in an acceptable amenity outcome. Mr Hugo also confirms that "having the front unit in close proximity to the street, is a positive outcome which provides good levels of passive surveillance over the streetscape."

Show Home

99. Submitters have raised concerns with the show home and the traffic and amenity effects. In response to the submissions, the show home has been withdrawn from the application.

Construction Effects

- 100. Submitters have raised issues with construction effects, such as interruption of services (electricity and telecommunications), vibration and noise effects.
- 101. The District Plan controls construction effects and requires compliance with the relevant New Zealand Standards.
- 102. The s42a report by Ms Thomas includes conditions to restrict the hours of operation for construction activities to avoid construction noise and effects on Sundays, evenings and public holidays.
- 103. It is expected that any network outages, such as power and telecommunications, would be communicated in advance by the network operator to keep any disruption to a minimum. It is also acknowledged that the outages are likely to be similar whether one additional lot/unit is connected to the network or the proposed nine additional lots.

Rubbish Collection

104. Submitters have raised concerns with inadequate space available for the recycle bins on the road reserve.

- 105. The ten compact units will each require two wheelie bins, one for glass and one for mixed recycling. The scheduled collection for the property is on Thursdays, the glass bin being collected 4-weekly, and the mixed recycling being collected fortnightly. The two wheelie bins are never collected in the same week and only one of the wheelie bins will appear on the berm per collection date.
- 106. The rubbish bags can be placed in one location on the roadside for collection. The wheelie bins will need to be spaced along the frontage. The frontage is 14 metres wide. With one metre spacing between the separation will need to be 800 to 900mm instead of one metre.
- 107. Contact with Council's Waste Minimisation Officer, Sally Fraser, has determined that the reduced spacing will be acceptable for the collection trucks and it will not impede their ability to collect the bins. She confirmed that a 1 metre spacing is a guideline to attempt to avoid the workers having to leave their trucks to manually move the bins.

Water Pressure

- 108. The submitters have raised concerns regarding a reduction in water pressure.
- 109. The development proposes a 100mm water line being connected to Council's 150mm water main, which will become a Council asset. A new hydrant will also be installed. This is required to be constructed to Council's standard and will not be accepted until as-builts have been provided and appropriate certification.
- 110. A Development Contribution will also be payable in association with the development, which will contribute towards new infrastructure. Rates from the property will contribute to the upkeep of the lines and new projects within Council's Long-Term Plan.
- 11. Any existing water pressure issues should be raised directly with Council, as Council's Development Engineers have not raised this with the Developer as a concern.

Loss of Property Value

The submitters have raised concerns regarding the potential effect on the value of their properties. Ms Thomas addresses this at paragraph 7.6 of her s 42A Report, concluding that loss of property value is not a matter that can be considered under s104 RMA. I agree with Ms Thomas' conclusion that any changes to property values is not a valid effect under the RMA.

KEY COMMENTS ON DRAFT CONDITIONS FROM S42A REPORT

- 113. I have reviewed the draft consent conditions for the land use consent and the subdivision consent contained in the s42A report and make the following comments:
 - (a) I am in agreement with the conditions of the land use consent. In particular, I agree that the conditions regarding construction will assist with providing the neighbours certainty of the timeframes of construction and the hours of construction;
 - (b) I am in agreement with the conditions of the subdivision consent. I note a minor error in condition 17(d) which refers to the subdivision conditions, however, should relate to the land use consent conditions.

STATUTORY PLANNING ASSESSMENT

- 114. The AEE for this Application traverses the various matters a consent authority must have regard to under s 104 of the RMA when making a decision on a resource consent application. These matters are also appropriately identified, discussed, and addressed by Ms Thomas in Part B of her s 42A Report.
- 115. I do not intend to cover these matters in any detail within my evidence.

 Moreover, I confirm my general agreement with Ms Thomas' assessment
 of these matters and offer additional minor commentary for the purposes of
 reinforcing Ms Thomas' findings.

Assessment of Environmental Effects (Section 104(1)(a))

Positive effects

- 116. I refer to my discussion at paragraphs 14 to 18 of my evidence relating to the local demand for housing in Cambridge.
- 117. In my opinion, this proposal will assist Council in achieving the growth requirements of the NPS-UD.
- 118. Other positive effects include:
 - (a) The social benefits of providing additional housing in an established area with available amenities;
 - (b) Economic benefits to local contractors and service providers;
 - (c) The economic and social benefits provided by the creation employment from the construction of the dwellings; and
 - (d) Economic benefits to the Applicant and the flow on effects to local businesses.
- 119. The Applicant has engaged Ms Makinson, Traffic Engineer, to comment on the proposal and she has confirmed that the entrance and internal access within the site is suitable, Coleridge Street can receive the traffic, the sight lines are acceptable, and the carparking is accommodated within the site. It is my opinion that this assessment confirms that the adverse traffic effects are less than minor.
- 120. The Applicant has engaged Mr Morné Hugo, Urban Designer. He has confirmed that the proposal is a high-quality medium density design that is acceptable within the local environment. Therefore, the urban design of the proposal is appropriate, and the compact development is suitable within the area proposed.

Part 2 Matters

121 Neither the s 42A Report, nor the Applicant's evidence has identified any invalidity, ambiguity, or incomplete coverage in the relevant planning documents. Accordingly, it is my view that it is not necessary to revert

back to Part 2 of the RMA. Nevertheless, for completeness, I have undertaken an assessment against Part 2, and concur with the s 42A author's view that the proposal is consistent with it.

- In particular, I am of the view that the proposed compact housing development upholds the purpose of the RMA as set out in section 5 by:
 - (a) supporting the Applicant and the local community to provide for their social and economic wellbeing by providing a new and local supply of high-quality housing to the Cambridge market; and
 - (b) appropriately avoiding, remedying or mitigating effects through an improved site design offering additional landscaping, increased boundary setbacks, reduced hard surface, more onsite carparking and removing the show home from the application.

National Policy Statement for Urban Development

- The National Policy Statement for Urban Development (NPS-UD) came into effect from 20 August 2020. This document states that Council must provide at least sufficient development capacity within existing and new urban areas, for both standalone dwellings and detached, and in the short, medium and long term. The NPS-UD gives clear direction on improving housing affordability by supporting competitive land and development markets. The NPS-UD also encourages residential development where one of the following applies; there are employment opportunities, where there is planned or public transport, or where there is high demand for housing. In this case, there is a high demand for housing which is evident by an extremely competitive housing market and increasing house prices.
- Objective 4 of the NPS-UD confirms that New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations. As can be seen with Coleridge Street, which once had large sections with single dwellings. The lot areas have been reduced, Lauriston Park has been established, and as part of that terraced housing has been established at the end of Coleridge Street. Coleridge Street is undergoing transformation as the needs change of its residents through subdivision and construction of dwellings. The proposed

compact housing development is part of the changing urban environment, which is an increase in density within the existing urban environment where existing facilities (e.g. reserve and commercial facilities) are readily accessible and infrastructure is available (e.g water, wastewater and roading). This is not unique to the Leamington or Cambridge environment.

- Objective 6 of the NPS-UD confirms that local authority decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and responsive, particularly in relation to proposals that would supply significant development capacity. The proposed compact housing development is within an area that is already supplied with infrastructure. Additional infrastructure required will be funded by the developer. An additional nine rates payments can be collected by Council and Development Contributions will also be payable prior to the uplift of the title.
- As stated in the application, the proposal supports the purpose of the NPS-UD. Waipa District Council has not yet notified a plan change to accommodate the requirements of the NPS-UD as the Housing and Business Development Capacity Assessment (HBA) has not been released. This is expected in May 2021. Once the reporting is available Waipa District Council has an ongoing obligation to monitor the development outcomes of the Residential Zone. If ill-performance is detected then a further plan change is required within a 12 month timeframe. This places immense pressure on Council by Central Government to enable development and ensure that residential land is available in locations of high growth, in which Waipa and particularly Cambridge, is classified.
- 127. Policies 1, 2 and 3 of the NPS-UD discuss the need for Waipa District Council to provide well-functioning urban environments which have a variety of housing which as a minimum meet the needs in terms of type, price, location of different households which also support and limit as much as possible the adverse impacts on the competitive operation of land and development markets. Policy 2 requires sufficient development capacity to be supplied over the short, medium and long term, and Policy 3 requires the density of the urban form to be relative to the demand of the

area in which it is being placed.

- 128. Policy 6 guides Council on the decision-making process. As part of the decision-making process, once a plan change has been initiated, the change in amenity as a result of the rule change is not a valid adverse amenity effect. Although this application may appear premature to the plan change, some density change in this area could be expected due to the proximity to the reserve and the commercial area, as well as Lauriston Park, and the development capacity available in the area which could be realised.
- 129. Therefore, the proposal sits comfortably with the NPS-UD, particularly in that it provides a variety of housing which is available within a serviced area, close to local amenities, consistent with the urban form of Coleridge Street.

CONCLUSION

- The Application seeks subdivision and land use consent for a compact housing development located at 47 Coleridge Street, Cambridge.
- The Application Site is zoned Residential under the District Plan, and compact housing of seven or more dwellings per site outside of the compact housing overlay is expressly provided for as a Discretionary Activity within the Residential Zone. The activities proposed are appropriate for both the Site and the surrounding residential environment, subject to the appropriate management of actual and potential environmental effects.
- 132. Various amendments have been made to the application to satisfy submitters concerns with the proposal. This includes withdrawing the show home proposal.
- 133. The evidence provided by Mr Morné Hugo confirms that the proposed compact development is appropriate on the proposed site, subject to the designs proposed and the landscaping.
- 134. The assessment provided by Ms Judith Makinson states that the entrance

to the site and the proposed access within the site is appropriate. She also confirms that the sight distance achieves the requirement of RTS6 and the separation distances within the District Plan.

135. The Application has demonstrated that actual and potential adverse effects are able to be appropriately managed on site with the imposition of conditions.

136. Furthermore, the proposed compact housing development is, in my opinion, consistent with relevant policy framework of the Waipa District Plan, Waikato Regional Policy Statement, and other non-statutory documents. It is also consistent with Part 2 of the RMA.

137. The NPS-UD gives direction for growth of varied formats in existing and greenfield locations. This proposal assists Council in achieving those targets and also community wide by providing more housing supply to the market in an attempt to reduce house prices.

138. Overall, it is considered that, subject to the consent conditions as set out in the s42 report, the application in this case can be granted pursuant to s104 of the RMA on the basis that:

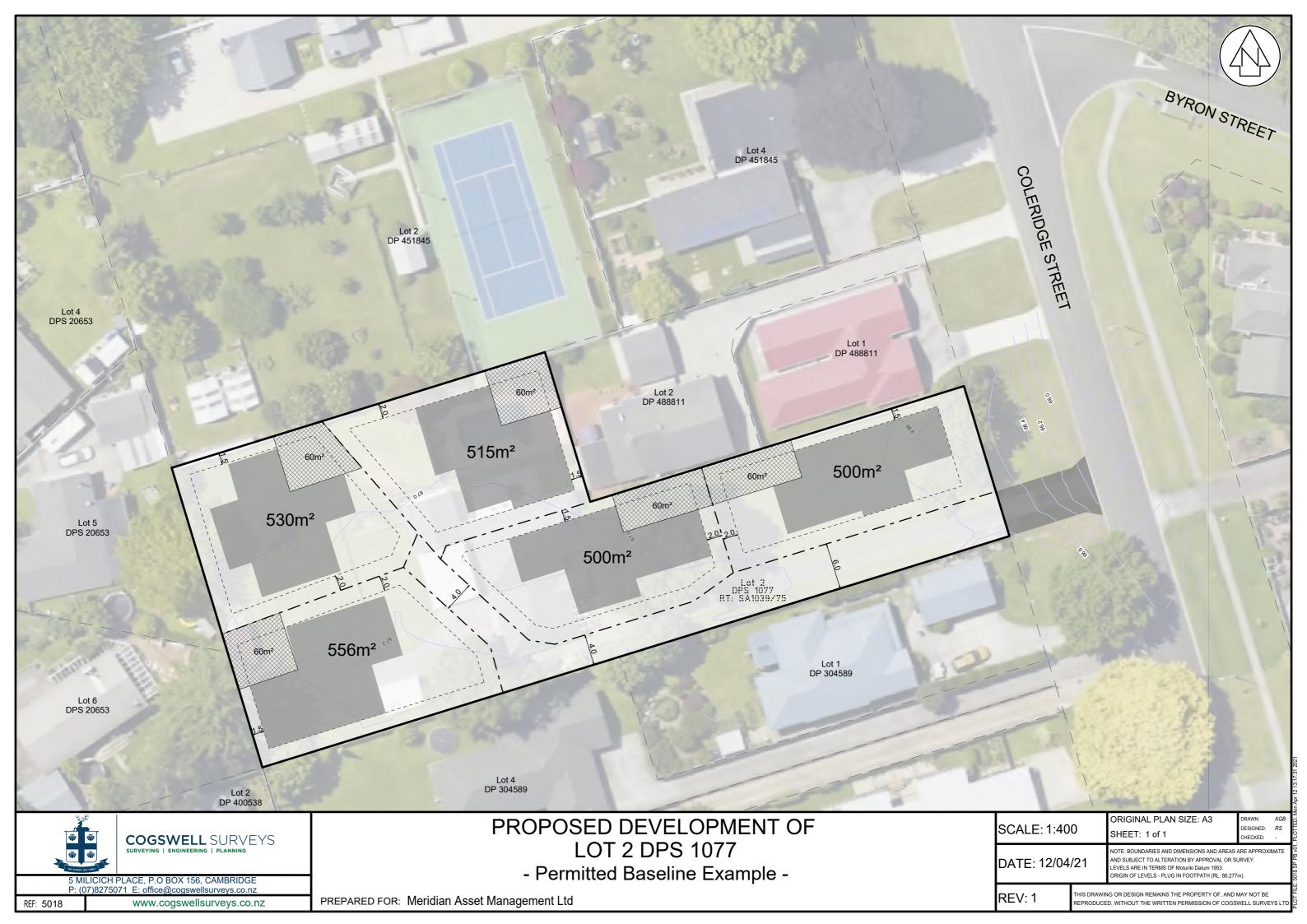
- (a) any adverse effects from the proposal are no more than minor;
- (b) the proposal is consistent with relevant planning documents including the NPS-UD; and
- (c) the proposal is consistent with the purpose of the RMA.

Dated this 30th day of April 2021

Mark Bulpitt Chrisp

Appendix A

Permitted Baseline Layout



Appendix B

CKL Traffic Assessment



MEMO

Date: 22 April 2021

Job Number: B20323

Job Name: 47 Coleridge Street, Leamington

Author: Judith Makinson, Transportation engineering Manager

Introduction

This technical memo considers the parking and access effects of a proposed 10 lot residential development at 47 Coleridge Street, Cambridge.

Road Characteristics

Coleridge Street is classed as a local road under Appendix T5 of the Waipa District Plan (District Plan). It runs south from Pope Terrace in a straight but undulating alignment and forms priority T-intersections with Byron Street and Raleigh Street on its eastern side, with both of these roads forming the minor approach. The site itself is between the intersections with Byron Street and Raleigh Street.

The area is predominantly residential in nature, however Lindsay Park occupies the northern block of the road. No off street car park is provided as part of this facility.

The Lauriston Park retirement village located at the southern end of Coleridge Street, with some properties within this facility having direct property access to Coleridge Street.

Coleridge Street has an unmarked carriageway of 6.5m width and very wide berms to each side. There is a continuous narrow footpath on the eastern side of the road. There is also a footpath on the western side of the road along the frontage of the retirement village. There are no restrictions in onstreet parking, although it is noted that a car parked on street will reduce the carriageway width to single file traffic only.

Data from the Mobile Road website shows that Coleridge Street has an approximately 450 vehicle per day (vpd) traffic demand at its northern end, reducing to 225vpd at its southern end.

A review of the Waka Kotahi New Zealand Transport Agency Crash Analysis System database shows that there have been 2 non-injury crashes along Coleridge Street over the full 5-year period 2016 to 2020 and including all data for 2021 to date. One crash resulted from a parked vehicle



parked on the berm drifting down the road into the reserve and hitting a tree. It is likely that the hand brake was not applied. The second crash was as a result of a medical event. Neither crash is related to the operation of the road or is related to the effects of on-street parking.

On-Street Parking

A survey of existing on-street parking behaviour was undertaken on Wednesday 14th April from 6am - 9am and 3pm - 6pm. This covers the peak weekday parking demand in a residential setting where most people are likely to be at home. Observations were made at approximately 15 minute intervals.

The survey considered the full length of Coleridge Street broken up into three sections:

- Pope Terrace Byron Street (Section 1);
- Byron Street Raleigh Street (Section 2); and
- Raleigh Street turning head at southern end (Section 3).

Parked cars were also identified by side of the road i.e. parked on the east side or the west side and how they were parked i.e. within the carriageway or with part of the vehicle within the berm.

The parking survey can be summarised as follows:

- during the morning survey;
 - o 1 car was parked on the grass berm on the east side of Section 1 (6:15am, 6:30am);
 - o 1 car was parked on the grass berm on the west side of Section 1 (6am only);
 - 1 car was parked on the grass berm on the east side of Section 2 continuously from
 6.15am to 8.15am. A second car was parked on the berm at 7.30am;
 - o no cars were parked on the west side of Section 2;
 - o no cars were parked in Section 3;
- during the evening survey;
 - o no cars were observed parking in Section 1;
 - 1 car was observed parked on the berm on the west side of Section 2 (16:45pm); and
 - 1 car was observed parking on the grass berm on the west side of Section 3 (17:15 to survey end).

The survey was repeated on Saturday 17th April from 9am to 3pm, again focusing on peak residential parking demand activity. It is acknowledged that this is the start of the school holidays when people may have gone away. The results can be summarised as follows:

- no cars were observed parking on street or on the berm in Section 1;
- 2 4 cars were parked on the berm on the east side of Section 2 and 1 car was parked on the berm on the west side of Section 1 from 10am until the last observation at 3pm;
- 1 car parked temporarily on the east berm of Section 2 at 11am;
- 1 car was parked on the berm on the east side of Section 3 from 10am 11.15am;
- 1 car was parked on the berm on the east side of Section 3 continuously from 12:45pm to the end of the survey, with a second vehicle being parked adjacent to it from 13:15pm onwards; and
- no cars were observed parked on the west side of Section 3.

Photograph 1 shows the parking behaviour observed in Section 2. This shows that the cars observed were generally fully on the grass berm with only 1 of the parked vehicles having. All other cars observed were parked fully on the berm.



Photograph 1: Berm parking, east side Section 2 of Coleridge Street and visibility to the north from the existing vehicle crossing

From the observations, there is nothing to suggest that there is excessive on -street parking and where on-street parking does occur, the local habit appears to be to use the berm instead of the carriageway. However, an on-street parking demand rate has been calculated for Section 2 as this shows the highest rate of berm parking.

Section 2 provides access to the following properties:

- 5 houses on the east side;
- 7 houses including rear lots on the west side; and
- 9 retirement villas.

Excluding the retirement villas as these typically generate reduced traffic and parking demands compared to general residential activities, the observations show a peak of 5 cars parked on street for 12 houses i.e. an 'on -street' parking demand rate of 1 per 2.4 houses.

Proposed Development

The proposed development includes 10 residential dwellings of 2 (5 units) and 3 (5 units) bedrooms. Access is provided by a 5m wide shared accessway with a 5m wide vehicle crossing. This crossing is in the same location as the existing crossing and maintains existing separation distances and visibility.

Each dwelling is provided with two parking spaces (one garage, one on driveway) with there also being an area of 6 communal parking spaces central to the development.

Based on the most onerous 85th percentile trip generation rate for residential dwellings (inner suburban) from Waka Kotahi Research Report 453 'Trips and Parking Relating to Land Use' of 10.9 trips per dwelling per day, the proposed development would be expected to generate 109 vehicle movements per day.

Access and Parking Effects

In terms of the proposed vehicle crossing, RTS 6 requires 40m visibility for all crossings to local roads in a 50km/h speed environment. This is readily achieved from the proposed crossing as shown in Photographs 1 (visibility to the north) and 2 (visibility to the south).



Photograph 2: Visibility to the south from the existing vehicle crossing

Rule 16.4.2.5 of the District Plan requires a vehicle crossing to be located at least 30m from an intersection on a local road. The existing vehicle crossing is 54m from the Byron Street intersection and over 100m from the Raleigh Street intersection and therefore meets this criterion. It is also more than 11m from the adjacent crossings on the western side of Coleridge Street.

Rule 16.4.2.4 requires appropriate access to be provided to all sites. There is no specific width requirement, however, the Regional Infrastructure Technical Specification requires a 3m - 5.5m wide

In relation to parking, Appendix T1 of the District Plan required 2 spaces per dwelling, unless the dwellings are classed as compact housing, at which point the requirement reduces to 1 space per unit and 0.2 spaces per unit for visitors. Assessing the proposed development as general residential would lead to a parking requirement of 20 spaces. Taking an onerous approach and applying the compact housing visitor parking rate on top of this provision would lead to a requirement for a further 2 spaces leading to a total of 22.

An alternative assessment of potential parking demand over and above on-lot provision for each dwelling is to apply the very localised demand rate from the observed date i.e. 1 space per 2.4 houses. For a 10 dwelling development, that would lead to a parking demand of 4 spaces. The combined overall parking requirement for the site would therefore be 24 parking spaces (i.e. 20 on-site spaces from the District Plan requirements and 4 on-street spaces).

The most onerous parking requirements within the wider Waikato regional area is the current Waikato Operative District Plan where 1 parking space is required per bedroom. Applying this rate to the proposed development would lead to parking requirement of 25 spaces.

26 parking spaces are proposed. Comparing this to the increasing more onerous consideration of potential parking requirements shows that this value exceed:

- the District Plan requirement for general residential activity by 6 spaces;
- the District Plan requirement for general residential activity with an addition of visitor parking as per compact housing by 4 spaces;
- the District Plan requirement for general residential activity with an addition of visitor parking as per the local Coleridge Street demand rate by 2 spaces; and
- the most onerous local standards from the current Waikato Operative District Plan by 1 space.

As such, it is assessed that there is no reasonable expectation of there being on -street parking arising from the proposed development.

Conclusions

Based on the information set out in this memo, it is concluded that:

- there is no reasonable expectation of there being a parking effect outside of the development;
- the access provision meets the relevant separation standards of the District Plan; and
- suitable visibility is available from the proposed access.

As such, there are no transportation planning or traffic engineering reasons to preclude approval of the proposed development.

CKL

Appendix C

Infill Housing Layout

