

**FURTHER SUBMISSION ON
PROPOSED PLAN CHANGE 5 – PEACOCKE STRUCTURE PLAN**

To: Hamilton City Council

Name of submitter: Cordyline Holdings Limited

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1. This is a further submission in support of and in opposition to submissions on Proposed Plan Change 5 to the Hamilton City District Plan.
2. Cordyline Holdings Limited (**Cordyline Holdings**), as a landowner within the Peacocke Structure Plan area, has an interest in the proposal that is greater than the general public has.
3. The submissions, particular parts of the submissions, reasons and details of the relief sought by Cordyline Holdings are set out in the Table 1 (attached).
4. Cordyline Holdings wish to be heard in support of its submission.
5. If others make a similar submission, Cordyline Holdings will consider presenting a joint case with them at a hearing.



Christina Sheard
Solicitor for Cordyline Holdings Limited

16 March 2022

**Table 1: Cordyline Holdings Limited - further submission on Hamilton City District Plan
Proposed Plan Change 5 – Peacocke Structure Plan**

No.	Submitter (name and address of original submitter)	Sub point	Support or Oppose	Particular part of submission	Reasons for support or opposition	Cordyline Holdings seeks the following
1.	Kāinga Ora PO Box 74598, Greenlane, Auckland 1546 Attn: Brendon Liggett developmentplanning@kainga ora.govt.nz	55.4	Support	Amendments to overview to clarify that the intent for the Peacocke Precinct is to achieve a medium to high density community.	In its original submission Cordyline Holdings submitted in support of the zoning to enable the delivery of additional housing to meet the needs of Hamilton. Providing for a medium to high density at this location is the most appropriate way to achieve the purpose of the Resource Management Act (RMA).	Allow submission point
2.	Kāinga Ora	55.5	Oppose	Amendments to vision including deleting the Design Guides and for these to sit outside the plan (and be developed). The submission also seeks that Comprehensive Development Plans be required with either land use or subdivision resource consent applications.	The requested amendments introduce a lack of certainty and the potential for design guides that sit outside District Plan to be amended without recourse to a statutory process. Comprehensive Development Plans are expensive to prepare and are not the most efficient or effective way to achieve the objectives of the plan change. The structure plans that form part of the plan change are sufficient to guide future development.	Disallow submission point
3.	Kāinga Ora	55.33	Oppose	Amendments to DEV01-PSP: P1 to require development to be in general accordance with comprehensive development plans.	Requiring Comprehensive Development Plans will increase the costs and complexity of the resource consent application process. The amendments are not the most efficient or effective way to achieve the objectives of the plan change. The structure plans that form part of the plan change are sufficient to guide future development.	Disallow submission point
4.	Kāinga Ora	55.45	Support	Amendments to DEV01-PSP: P13 to enable high density living adjoining natural open space and gullies.	High density living adjoining areas of natural open space will provide enhanced amenity for future residents.	Allow submission point
5.	Kāinga Ora	55.46	Support	Amendments to DEV01-PSP: P14 to set targets for minimum dwellings per hectare in medium and high density zones.	The amendments sought to the minimum net residential density targets are the most appropriate way to achieve the purpose of the RMA. Furthermore, the amendments are better aligned with the Future Proof Strategy Consultation Draft (September 2021).	Allow submission point
6.	Kāinga Ora	55.47	Oppose	Amendments to DEV01-PSP: P15 to avoid low density residential development.	The amendments sought introduce uncertainty. Low density residential development is not defined.	Disallow submission point
7.	Kāinga Ora	55.48	Support	Amendments to DEV01-PSP: P16 to require a variety of medium and high density housing typologies.	The amendments will contribute to a more efficient use of land and are the most appropriate way to achieve the purpose of the RMA.	Allow submission point
8.	Kāinga Ora	55.141	Oppose	Amendments to MRZ - PREC1-PSP: P24 to require target yields to be met.	It is unclear how this policy will be applied, particularly in the early stages of development. Provision should be made for the averaging of target yields to enable greater flexibility.	Disallow submission point
9.	Kāinga Ora	55.158	Support	Delete rule MRZ - PREC1-PSP: R15.	Support for reasons given in Kāinga Ora's submission; namely residential activity should be permitted regardless of typology.	Allow submission point
10.	Kāinga Ora	55.159	Support	Delete rule MRZ - PREC1-PSP: R16.	Support for reasons given in Kāinga Ora's submission; namely residential activity should be permitted regardless of typology.	Allow submission point

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11.	Kāinga Ora	55.160	Support	Delete rule MRZ - PREC1-PSP: R17.	Support for reasons given in Kāinga Ora's submission; namely residential activity should be permitted regardless of typology.	Allow submission point
12.	Kāinga Ora	55.182	Support	Amend MRZ - PREC1-PSP: R40 to reflect the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill.	The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (RMAA) was passed in December 2021. Cordyline Holdings supports the amendment of the plan change provisions to incorporate the Medium Density Residential Standards (MDRS).	Allow submission point
13.	Kāinga Ora	55.191	Support	Delete High Density Overlay and replace with a High Density Zone as per submission.	Inclusion of a High Density Zone is the most appropriate way to achieve the purpose of the RMA. The proposed High Density Zone is a more efficient and effective means of achieving the objectives in Chapter 3A for the Peacocke Structure Plan. In particular, it will be a more effective means of increasing Hamilton's housing supply.	Allow submission point
14.	Kāinga Ora	55.375	Oppose	Amend SUB-PREC1-PSP: R15 to require a minimum of 1200m ² for vacant lot subdivision.	The rule as notified, which provides for a minimum of 300m ² for vacant lot subdivision is the most appropriate way to meet the purpose of the RMA. Vacant lot subdivision to 300m ² would not foreclose higher density living opportunities. Apartment buildings and duplexes are readily able to be constructed on a 300m ² site.	Disallow submission point
15.	Kāinga Ora	55.399	Oppose	Amendments to Appendix 1.2 Information Requirements to require Comprehensive Development Plans for all subdivision and land use.	Requiring Comprehensive Development Plans will increase the costs and complexity of the resource consent application process. The amendments are not the most efficient or effective way to achieve the objectives of the plan change. The structure plans that form part of the plan change are sufficient to guide future development.	Disallow submission point
16.	Kāinga Ora	55.400	Oppose	Amendments to require a landscape concept plan for 'land development', in addition to subdivision.	The term 'land development' is not defined. Development of urban areas normally takes place on a staged basis with bulk earthworks and infrastructure occurring first, followed by buildings and development. Requiring a Landscape Concept Plan at the early stages of land development will be inefficient and ineffective and would impose unnecessary costs on resource consent applicants.	Disallow submission point
17.	Kāinga Ora	55.408	Oppose	Delete design codes, guides and guidelines and have formulate non-statutory guides.	No wording was provided in the submission for the proposed replacement non-statutory guides. This introduces a lack of certainty and the potential for design guides that sit outside District Plan to be amended without recourse to a statutory process.	Disallow submission point
18.	Hamilton City Council Private Bag 3010 Hamilton 3240 Attn: Jamie Sirl Jamie.Sirl@hcc.govt.nz	11.2	Support	Align SUB-PREC1-PSP: R14, SUB-PREC1-PSP: R15, SUB-PREC1-PSP: R17 with the RMAA once enacted.	The RMAA was passed in December 2021. Cordyline Holdings supports the amendment of the plan change provisions to incorporate the MDRS.	Allow submission point
19.	Hamilton City Council	11.3	Support	Any additional amendments to align the plan change with the RMAA once enacted.	The RMAA was passed in December 2021. Cordyline Holdings supports the amendment of the plan change provisions to incorporate the MDRS.	Allow submission point
20.	Waikato Regional Council Private Bag 3038 Waikato Mail Centre Hamilton 3240 Attn: Matthew Vare	36.1	Support	Align density targets with Future Proof Consultation Strategy Draft.	Future Proof Strategy Consultation Draft (September 2021) was updated to reflect the National Policy Statement on Urban Development (NPS-UD). Given the rapid growth in the Future-Proof sub-region, it is appropriate for the recent consultation to be reflected in the provisions of Proposed Plan Change 5.	Allow submission point

Table 1: Cordyline Holdings Limited - further submission on Hamilton City District Plan Proposed Plan Change 5 – Peacocke Structure Plan

	Matthew.Vare@waikatoregion.govt.nz					
21.	Waikato Regional Council	36.28	Oppose	Amend DEVO-1-PSP: P60 and P61 to refer to setting hydrology targets.	It is unclear how and when hydrology targets will be set.	Disallow submission point
22.	Waikato Regional Council	36.37	Oppose	Amend NOSZ – PREC1- P: O7 to add reference to riparian and gully habitats and aquatic biodiversity.	The areas of value referred to in the submission are not mapped and it is unclear what the application of this objective would be.	Disallow submission point
23.	Waikato Regional Council	36.38	Oppose	Amend NOSZ – PREC1- P: P18 to add other areas to policy for Natural Open Space Network.	The areas of value referred to in the submission are not mapped and the impact of broadening this policy is not clear.	Disallow submission point
24.	Waikato Regional Council	36.51	Support	Retain R13 General Standard, Provision of Esplanades to enable Hamilton City Council to manage ecological infrastructure.	Cordyline Holdings supports bringing these areas into public ownership to be managed by Hamilton City Council.	Allow submission point
25.	Waikato Regional Council	36.52	Oppose	Amend SUB-PREC1-PSP: R24 to refer to the defined ecological network.	The 'defined ecological network' referred to in the submission is not defined and no maps are provided with submission to clarify the application of this rule.	Disallow submission point
26.	Department of Conservation Penny Nelson, Director-General of Conservation Shared Service Centre Level 3, 73 Rostrevor Street Hamilton Attn: Jesse Gooding jgooding@doc.govt.nz	38.2	Oppose	Amend the Peacocke Land Use maps to include additional areas of bat habitat as 'Bat Priority Areas'.	There are no maps provided with submission and the effect of the requested amendment is uncertain.	Disallow submission point
27.	Department of Conservation	38.6	Support	Seeks amendments to the plan change provisions to provide guidance on biodiversity offsetting.	The submission does not provide specific wording; however, Cordyline Holdings agrees guidance on biodiversity offsetting would assist plan users.	Allow submission point
28.	Department of Conservation	38.7	Oppose	Seeks amendments to the plan change to require the formation of a Bat and Habitat Enhancement Panel.	The relief sought is based on a resource consent condition. It is unclear how this mechanism would work as a plan provision, as no specific wording is provided in the submission.	Disallow submission point
29.	Department of Conservation	38.18	Oppose	Amend DEV01-PSP: O15 to avoid adverse effects of development adjacent Bat Priority Areas.	The submission refers to issues with three storey development in bat flying areas. While Cordyline Holdings agrees that 'managing' the effects of development lacks specificity, the amended wording may prevent development adjacent to Bat Priority Areas.	Disallow submission point
30.	Department of Conservation	38.21	Oppose	Amend DEV01-PSP: P6 to avoid effects on bats and their habitat, as recreational activities not considered compatible.	The identified Bat areas and open space areas overlap. It is unclear why passive recreational activities such as walking and cycling are considered incompatible with long tailed bats and their habitat.	Disallow submission point
31.	Department of Conservation	38.56	Oppose	Amend SUB-PREC1-PSP: O8 to create a transport network that protects and enhances bat habitat.	The overall submission seeks an enlarged mapped area of bat habitat. No map is included with the submission and therefore implications for amendment to objective are unclear.	Disallow submission point
32.	The Adare Company	53.61	Support	Add rule to NOSZ-PREC1-P: Rules –	Support for reasons given in the submission.	Allow submission point

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	C/-Wynn Williams PO Box 2401 Auckland 1140 Attn: Mike Doesburg mike.doesburg@wynnwilliams.co.nz			Activity Status Table to permit stormwater management devices and wastewater pumps in Natural Open Space Zones		
33.	The Adare Company	53.58	Support	Amend issues statement NOSZ – PREC1-P: Issues to clarify that Natural Open Space zoned land will be acquired as public reserves.	Support for reasons given in the submission.	Allow submission point
34.	The Adare Company	53.80	Support	Amend rule SUB-PREC1 PSP:R24 Provision of ecological areas to require Bat Habitat to be vested in council.	Support for reasons given in the submission.	Allow submission point
35.	The Adare Company	53.87	Support	Amend Appendix 1.2.2.25 to require an Ecological Rehabilitation Management Plan for subdivisions involving more than 2 hectares and vesting of public land.	Support for reasons given in the submission.	Allow submission point
36.	The Adare Company	53.93	Oppose	Amend Figure 2-2 Peacocke Structure Plan Transport Network to insert a new 'Indicative Key Local Transport Network' within Lot 8 DP 34164 and Lot 2 DP 519671 as shown on the figure included in the submission.	The indicative local road may create an inefficient pattern of development, as it does not deliver a grid alignment to enhance connectivity in the Peacocke Structure Plan area.	Disallow submission point