

File No: 25 01 00



5 October 2022

Plan Change 5 – Peacocke Structure Plan Independent Hearing Panel

Attn: Steve Rice
Email: steve@riceres.co.nz

Private Bag 3038
Waikato Mail Centre
Hamilton 3240, NZ

waikatoregion.govt.nz
0800 800 401

Dear David Hill (Chairperson),

Waikato Regional Council supplementary hearing evidence – Plan Change 5 – Peacocke Structure Plan

This letter follows my appearance for Waikato Regional Council (WRC) at the hearing for Plan Change 5 – Peacocke Structure Plan on 3 October 2022. It responds to the panel’s request for further consideration of a proposed matter of discretion relating to single residential units in the increased height overlay area.

The recommendation as presented at the hearing is that rule MRZ-PREC1-PSP: R3 be amended to be applicable only to the medium density area and for a new rule to be added for the increased height overlay area that permits two or three residential units on a site but excludes single residential units as a permitted use. Single residential units on a site in the increased height overlay area could be assessed as a discretionary activity, or alternatively a restricted discretionary activity. If the latter is deemed more appropriate, a new matter of discretion under ‘P – Peacocke Structure Plan’ would be required. We recommend it be worded as follows, or to the same effect:

x) For single residential units in the Increased Height Overlay Area:

The extent to which the proposed development supports the high-density intention and cumulatively contributes to the density target of the area, considering the context of existing development and the ability of the site to accommodate higher density residential development.

We consider this wording appropriate considering:

- Other matters of discretion still apply.
- Assessing restricted discretionary activities involves a degree of ‘weighing up’ different matters of discretion. Often activities are consented where they meet most but not all matters of discretion.
- The wording “the extent to which” implies that there is a scale to which the matter can be assessed and achieved.
- The wording “cumulatively” and “considering the context of” broadens the scope of the matter to enable consideration of how a single dwelling may fit within the context of the site and existing development in the area, including whether the density target is already met elsewhere.

We consider this wording provides a pathway through which single residential units in the increased height overlay area may be consented, particularly where other matters of discretion are met or where site constraints exist.

Ultimately, subjecting single residential units to a consenting pathway sends the message to developers that single dwellings are less appropriate in a high-density area and will better ensure that the policy direction of DEV01-PSP:P8 and DEV01-PSP:P9 is achieved.

Should you have any queries regarding the content of this letter please contact me directly on (07) 859 2831 or by email Hannah.craven@waikatoregion.govt.nz.

Yours sincerely



Hannah Craven
Policy Advisor, Strategic and Spatial Planning