

Before Kaipara District Council

IN THE MATTER the Resource Management Act 1991 ("**RMA**")

And

IN THE MATTER of an application for Private Plan Change 83 ("**PC83**") by THE RISE LIMITED to rezone 56.9 ha of land at Cove Road and Mangawhai Heads Road, Mangawhai from Rural Zone to Residential Zone.

STATEMENT OF EVIDENCE OF WAYNE BREDEMEIJER

ON BEHALF OF THE RISE LIMITED

URBAN DESIGN

23 February 2024

Michael Savage

Barrister

Park Chambers

1. SUMMARY OF EVIDENCE

- 1.1 My evidence describes my involvement with the proposal, including the preparation of an urban design assessment in support of the PC83 application in 2022, and background work prior to this. A brief description of the current PC83 proposal is also provided.
- 1.2 This is followed by a response to the Kaipara District Council (“Council”) s42A report, insofar relevant to my area of expertise. Matters responded to include suggestions related to provisions for:
 - (a) The Concept Plan / Precinct Plan.
 - (b) Multi-unit enablement.
 - (c) Impermeable surface and building coverage, and private open space.
 - (d) Impermeable surface, building coverage and private open space for the Northern Sub-Precinct.
 - (e) Street setbacks and garage setbacks.
 - (f) A landscape strip along the northern boundary of The Site.
- 1.3 The balance of my evidence contains a response to submissions, insofar relevant to urban design. Matters responded to include:
 - (a) Effects on the character and amenity of Mangawhai.
 - (b) The minimum lot size, including that in the Northern Sub-Precinct.
 - (c) Opposition to one of the streets and one of the on-street cycleways in the Concept Plan.
 - (d) Building setbacks, including that from Mangawhai Heads Road.
 - (e) Impermeable surface and building coverage.
 - (f) Private open space and parks.
 - (g) The original urban design assessment.

(h) Submissions in support.

1.4 This statement lastly outlines the conclusion that I support PC83, subject to the following conditions:

- (a) Updates to the Precinct Plan to ensure it is consistent with traffic expert advice.
- (b) Alignment with the ODP for the impermeable surface, building coverage and private open space provisions for the Northern Sub-Precinct.
- (c) Increasing the building height limit in the Northern Sub-Precinct to 7m with provisions for a maximum of 50% of the vertical height of the roof (up to 1m) over 7m in height.
- (d) Increasing the minimum building setback along Mangawhai Heads Road to 5m.
- (e) Increasing the minimum front setback of garages to 5m.
- (f) The introduction of an at least 2m wide landscape strip along the boundary of The Site with the building site on Lot 42 of the Bream Tail Farm.

2. INTRODUCTION

2.1 My name is Carel Lodewijk Ferdinand Bredemeijer. In New Zealand I am commonly referred to as Wayne Bredemeijer. I am an urban designer and Senior Associate with Urbanismplus Ltd, an urban design consultancy based in Auckland and working across New Zealand. Prior to this, I worked for urban design consultancies in The Netherlands and New Zealand. I have approximately 22 years of full-time professional experience, of which 19 years in New Zealand.

2.2 I hold a Master of Science degree (Urbanism) from Delft University of Technology, Department of Architecture, in The Netherlands. I am a member of the Urban Design Forum Aotearoa and an Associate Member of the New Zealand Planning Institute.

2.3 My experience includes the provision of strategic urban design input in urban growth and regeneration strategies, working as a senior consultant. I also have expertise in high-level through to detailed design of structure plans and master plans for both private and public sector clients. I have provided input as a member of urban design panels, through urban design assessments for both councils and applicants, and as an expert witness in numerous council and Environment Court hearings.

2.4 In 2019 and 2020 Urbanisplus, alongside Campbell Brown Planning, produced the **Mangawhai Spatial Plan** (“the Spatial Plan”) for the Council. The purpose of the Spatial Plan is to provide a high-level strategy that will guide Mangawhai’s urban development and growth over the next 20 to 25 years. It addresses the environmental, social, cultural and economic needs that are important to the community, while recognising the implication of natural and physical constraints for the future development of the area. The Spatial Plan provides the Council with strategic directions and recommendations for decision making related to regulatory plans, infrastructure investment, and service provision. The Spatial Plan also identified the land subject to the PC83 proposal (“The Site”) as suitable for rezoning for a residential purpose. It was adopted by the Council in late 2020.

2.5 My role in the Mangawhai Spatial Plan project included:

- (a) Participation in the main project workshop with a key focus on the provision and distribution of urban growth, including assessment of growth area options. As part of this I undertook a site visit to Mangawhai’s potential urban expansion areas, including The Site.
- (b) Production of the report.
- (c) Production of and participation in the presentations to the Council.
- (d) Project management.

2.6 I attach a copy of my CV in **Attachment 1**, which provides further detail on my experience and expertise.

2.7 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this statement of evidence. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express. I have no conflict of interest to declare with respect of PC83.

3. SCOPE OF EVIDENCE

3.1 My evidence addresses the following topics:

- (a) It describes my involvement with the proposal.

- (b) It provides a description of the proposal.
- (c) It contains a response to the Council's s42A report.
- (d) It contains a response to matters raised by submitters, insofar relevant to urban design.
- (e) It outlines the conclusion that I support PC83, subject to conditions.

4. INVOLVEMENT WITH THE PROPOSAL

- 4.1 I have been engaged by The Rise Limited to provide urban design evidence in support of PC83.
- 4.2 In 2021 Urbanismplus was engaged by The Rise Limited to produce masterplan options for the undeveloped balance of their land holdings, the area to the east of Pigeonwood Place and Pipit Place. In August 2022 I walked over the The Rise property and from there viewed the balance of The Site. This work, alongside knowledge of Mangawhai's urban growth situation through the Spatial Plan work, has informed the production of the Concept Plan, PC83, and especially the Precinct Plan for The Site.
- 4.3 In October 2022 Urbanismplus delivered an urban design report in support of the PC83 application, which provides an assessment of this. More specifically, it contains:
 - (a) A site and context analysis of The Site, concluding its suitability for urbanisation.
 - (b) A concept plan that has informed the production of the proposed plan change application, presented by way of its 'layers': the movement network, the open space network, and the residential mix and density.
 - (c) The Cove Road North Precinct Plan, which is also incorporated into the provisions via the proposed assessment criteria.
 - (d) The precinct performance standards, along with urban design commentary on the Permitted Activity Performance Standard and Assessment Criteria or Matters for Discretion.
 - (e) An assessment of the proposal against urban design criteria, including:
 - (i) Contribution to the wider urban environment.

- (ii) Response to the surrounding existing and the proposed public (or common) realm.
 - (iii) Response to surrounding private properties.
 - (iv) On-site and internal amenity.
 - (v) Transportation aspects.
- (f) A conclusion stating urban design support for the proposal.

5. DESCRIPTION OF THE PROPOSAL

- 5.1 The proposal entails the rezoning of The Site, which has an area of 56.9ha, from Rural Zone with Harbour Overlay to Residential Zone with Harbour Overlay.
- 5.2 Additionally, it is proposed that a precinct (Cove Road North Precinct) is created over the Residential Zone land, with core provisions that protect ecological features, promote high-quality urban design, ensure a safe transport network, and enhance landscape and amenity. Provisions for the proposed precinct enable subdivision with a minimum lot size of 600m² as a Permitted Activity.
- 5.3 A sub-precinct will apply to the northern portion of The Site, where the land has a north-facing slope running down to Tangaroa Road. Provisions for this proposed sub-precinct enable subdivision with a minimum lot size of 1000m² as a Permitted Activity.
- 5.4 The Cove Road North Precinct Plan is to give effect to the proposed objectives and policies. It shows:
- (a) A Residential Zone over The Site.
 - (b) The extent of the Northern Sub-Precinct.
 - (c) Indicative street and cycling connections to ensure key street connections are established between different properties within The Site and allowance is made for connections with the neighbouring site to the east, which is undeveloped but already has a Residential Zoning.
 - (d) Indicative off-street cycling connections to ensure key cycling connections are established.

6. RESPONSE TO S42A REPORT

6.1 The s42A report is generally supportive of PC83. It recommends that PC83 be accepted, subject to recommended amendments to the Precinct Plan and provisions. I provide the following response to comments and recommendations relates to urban design.

Precinct Plan / Concept Plan

6.2 The s42A report includes recommendations regarding the Concept Plan. I assume any reference to a Concept Plan should in fact be to the Precinct Plan, as the Concept Plan, that has been introduced in the urban design report, has merely served as a tool to inform the production of PC83, while the Cove Road North Precinct Plan is taken forward into PC83 and is incorporated into the provisions via the proposed assessment criteria.

6.3 I agree that the Precinct Plan should be updated to reflect the changes to the internal roading and shared path network recommended by Mr Kelly and supported by Mr van der Westhuizen.

6.4 In his evidence Mr Kelly also recommends the removal of the shared path along Cove Road connecting between the Mangawhai Heads Road and Pigeonwood Place intersections off the Precinct Plan. Instead, additional provisions are proposed, requiring a footpath along the frontage of The Site. I understand the removal of the cycling facility is due to space limitations, stormwater infrastructure, safety concerns and the lack of connecting cycling infrastructure. Mr Kelly instead suggested the provision of safe and convenient cycling connections through The Site, given the lower speeds and the greater scope for the design of streetscapes with integrated cycling provision. I also note that in this approach Cove Road will be largely 'bypassed' by cyclists heading for Mangawhai Heads or Mangawhai.

6.5 Based on Mr Kelly's expertise summarised above, I accept the removal of the shared path along Cove Road off the Precinct Plan and the newly proposed provisions that require a footpath along the frontage of The Site.

6.6 I have amended the Concept Plan with the addition of several street connections and the replacement of the shared path along Cove Road by a footpath within the road reserve. This is to keep the illustration of the key elements of a potential outcome

resulting from technical evidence up to date. The planning evidence contains the updated Precinct and Concept Plans.

Multi-unit enablement

- 6.7 In the s42A report the observation is made that “The proposed rules also provide a consenting pathway to develop more than one dwelling on a lot (and multi-unit typologies) via a Restricted Discretionary consent (rule 13.10.3a(2))”. This is accompanied by the recommendation, “the proposed rule package be amended by removing the medium density provisions and reverting to the ODP approach of such proposals having a fully Discretionary activity status for the land use rule and non-complying activity status for undersized lots in the subdivision rules”.
- 6.8 The matters relating to the consenting pathway are best left for the planning experts to respond to. However, as urban design expert I note that in this context any reference to medium density housing seems out of place. The Site Opportunities and Constraints map contained as **Figure 1** in **Attachment 2** shows the many features of The Site that make it largely unsuitable for medium density housing. These include the contours, the ecological features and associated buffers, the relatively fragmented ownership of The Site, and the presence of existing dwellings, including many recently constructed ones.
- 6.9 Further, PC83 includes a provision for a minimum lot size of 600m², while the original PC83 application included a provision for a minimum lot size of 400m², with a minimum average net lot area of 600m² (combined with the lots in the Northern Sub-Precinct). However, neither the current nor the original contemplates medium density housing. To give an impression of the difference in density between the proposal and typical medium density housing, I refer to a definition of this type of housing. The Ministry for the Environment¹ in 2012 defined it as, “Medium-density housing means comprehensive developments including four or more dwellings with an average density of less than 350m² per unit (emphasis mine). It can include stand-alone dwellings, semi-detached (or duplex) dwellings, terraced housing, or apartments within a building of four storeys or less. These can be located on either single or aggregated sites, or as part of larger master-planned developments.”
- 6.10 In my opinion, subdivision into lots smaller than 600m² is appropriate from an urban design perspective, however I accept that a minimum 600m² lot size is necessary to

¹ <https://www.mdh.org.nz/what-is-mdh/mdh-definitions>.

appropriately accommodate an adequate onsite water supply. A 400m² lot size would be in line with policies relating to housing affordability as well as environmental sustainability (based on the efficient use of land and infrastructure), given that smaller lots are generally more affordable and achieve a more efficient use of resources when compared to larger lots. Notwithstanding this, a minimum 600m² lot size will not compromise urban design outcomes.

- 6.11 Separate from the subdivision rules stipulating minimum lot sizes, the land use rules enable multi-unit development. From an urban design perspective, it is appropriate to provide for this option. Multi-unit development is based on a comprehensive design approach in which all effects can be considered concurrently. This would generally lead to more positive design outcomes, as density and built form would result from satisfying the full array of relevant provisions and requirements all at once.

Impermeable surface and building coverage

- 6.12 The s42A report recommends that the ODP Residential Zone provisions relating to building coverage and impermeable surface are included, rather than those proposed by PC83: maximum impermeable surface of 60% (vs. 40% in the ODP); maximum building coverage of 45% of the net site area (vs. 35% in the ODP). This is based on the assumption that PC83 aims to provide a consenting pathway for medium density housing, as discussed above. As explained, I dismiss this assumption and remain of the view that the building coverage and impermeable surface provisions proposed in PC83 are acceptable, outside of the Northern Sub-Precinct.
- 6.13 However, subdivision into lots smaller than 600m² (in my view as small as 400m²) could be considered for suitable parts of the Site as a Restricted Discretionary activity. The impermeable surface and building coverage provisions proposed by PC83 are compatible with this, as is demonstrated by the design test contained as **Figure 2** in **Attachment 2**. It shows a typical single-storey, three-bedroom, double-garage dwelling on a 405m² lot, resulting in an impermeable surface of 47% and building coverage of 39%. This would exceed the ODP provisions of 40% and 35% respectively. The same dwelling on a 600m² lot would result in 32% and 27% respectively, well below the ODP maximums.
- 6.14 I should also note that a maximum impermeable surface of 60% is supported by Mr. Rankin, considering stormwater effects.

Private open space

- 6.15 The s42A report recommends that the ODP Residential Zone provisions relating to private open space are included, rather than those proposed by PC83. I disagree with this. Like the proposed impermeable surface and building coverage provisions, the proposed private open space provisions will be relevant for subdivision into lots smaller than 600m². This especially applies to proposed rule 13.10.11 (a) "...the main private open space meets the following: (a) Is at least 20m² or equivalent to 25% of the gross floor area of the dwelling" (for clarity, it is proposed that 'whichever is smaller' is added to this). This rule is proposed to replace, (a) "... is equivalent to 50% of the gross floor area of the dwelling". It will effectively result in 20m² being the minimum area for the private open space, as most dwellings will be larger than 80m².
- 6.16 Although on lots larger than 600m² (and even down to 400m²) private open spaces will likely be much larger, I consider a private open space of at least 20m² to provide an appropriate level of residential amenity, if also the requirements in proposed rules (b) through to (f) are met, in the following way:
- (a) (...)
 - (b) "Has a minimum dimension of 4m" ensures that the space is useable for typical private open space functions, such as outdoor dining.
 - (c) "Is located to the east, north or west side of the dwelling" ensures that the space enjoys an appropriate amount of direct sunlight.
 - (d) "Has direct access from the main living area of the dwelling" ensures an appropriate indoor-outdoor flow, making the private open space an extension of the indoor living areas.
 - (e) "Is unobstructed by vehicle access or parking areas" ensures the space is always safe and useable for typical private open space functions.
 - (f) "Shall not be located between the dwelling and road boundary" ensures the space enjoys good privacy through a location away from the street, and that the use of tall fences, if needed, will not negatively impact passive surveillance and the streetscape.
- 6.17 Also, the addition of proposed rule 13.10.11 (f) "shall not be located between the dwelling and a road boundary" will assist with achieving appropriate urban design outcomes. For the main private open space to be truly private, it should be surrounded by a tall fence (where not bordered by the dwelling). If the private open space were to

be located between the dwelling and a road boundary this would mean that a tall fence would be located on the road boundary, resulting in an unattractive and unsafe streetscape, due to the lack of passive surveillance. Conversely, a low fence to enable passive surveillance would result in poor privacy in the main private open space.

Impermeable surface, building coverage and private open space for the Northern Sub-Precinct

- 6.18 The s42A report recommends that for the Northern Sub-Precinct the ODP Residential Zone provisions relating to building coverage and impermeable surface are included, rather than those proposed by PC83. The reason for this is that it would otherwise allow for a dwelling with an excessively large footprint of 450m² on a 1000m² lot (the minimum lot size in the Sub-Precinct) or even larger on larger lots.
- 6.19 Although I think that practically it is very unlikely that dwellings with footprints over 350m² will be built based on a maximum building coverage of 35%, I concur with this recommendation. The main reason for this is that there is no need to anticipate lots smaller than 1000m² for which more than 35% building coverage is required, since the reason for the minimum lot size in the Sub-Precinct relates to the area's character (which cannot be changed), and not to engineering matters (which could be changed), as is the case for the balance of the Site.
- 6.20 The same reasoning should be applied to the private open space provisions, except for proposed rule 13.10.11 (f) "shall not be located between the dwelling and a road boundary". In my view this is an important addition, also in the Northern Sub-Precinct, as it will assist with achieving appropriate urban design outcomes, as explained above.

Building height limit for the Northern Sub-Precinct

- 6.21 The s42A report questions the practical implications of the 6m building height limit for the Northern Sub-Precinct, given the sloping landform. This limit (based on the rolling ground method) would either necessitate dwellings stepping down the contour, cutting into the slope, or the building exceeding 6m in height at the downslope end of the dwelling, along with the construction of a semi-basement (or high foundations). Landowners may be tempted to create flat building platforms, resulting in excessive earthworks and / or the construction of retaining walls that would be larger than strictly necessary.

- 6.22 In his landscape evidence, Mr Cocker has included a comprehensive response to these concerns, primarily relating to landscape and visual impacts. From an urban design perspective and considering the workability of this provision as well as architectural implications of this height limit, I agree with Mr Cocker's reasoning.
- 6.23 I also agree with the provision proposed by Mr Cocker, which is to increase the height limit to 7m, with provisions for a maximum of 50% of the vertical height of the roof (up to 1m) over 7m in height. The latter part of this rule would stimulate the design of an attractive roof form, rather than it being 'forced' into a building envelope.

Street setback

- 6.24 The s42A report recommends that a minimum building setback of 5m would apply to the interface with Mangawhai Heads Road (instead of the 3m proposed for all road interfaces except for Cove Road where 5m is the proposed minimum). This is to ensure that setbacks are consistent with the existing built form on the southern side of that road and are likewise consistent with setbacks common elsewhere in the township.
- 6.25 I agree with the part of the reasoning related to the southern side of Mangawhai Heads Road. In my view it seems likely that future development of the lots interfacing with this road would include larger setbacks than 3m anyway, given the nature of this road and the layout of the existing properties along the road.

Garage setback

- 6.26 Although not mentioned specifically in the s42A report, the author of the report recommends in their tracked changes to conditions in Appendix 1 of the s42A report, that garage doors that face the street shall be set back by 4.5m. The main reason for this is that it would allow for a car to be parked in front of the garage without projecting out into the footpath / road reserve. I agree with the intention of this recommendation, but suggest it is increased to 5m. This would enable parking a car in front of the garage more comfortably.
- 6.27 Another reason for concurring with this recommendation is to decrease the visual dominance of garage doors and encourage an outcome whereby the habitable part of the dwelling is located closer to the street. This would assist with safety through passive surveillance and an increased sense of community through interaction. As a side elevation of a garage has a similarly negative effect on the streetscape, I suggest

rewording the rule to omit 'doors' and simply require that any garage (whether its door faces the street or its side elevation) shall be set back by at least 5m.

Landscape strip

- 6.28 The s42A report recommends the introduction of an at least 2m wide landscape strip along the interface of The Site with the Bream Tail Farms land to the north and northeast. This is in response to several submitters seeking to screen The Site from Tangaroa Road properties.
- 6.29 In his landscape evidence, Mr Cocker has included a comprehensive visual impact assessment focussing on this interface. From this he concludes that a landscape strip along the entire length of the boundary with the Bream Tail Farms land will not be needed to screen views. He argues that the existing native bush already screens views into The Site along most of its northern boundary and that there will therefore be no benefit gained from a landscape strip along this boundary. From further east fragmented south-westerly views to the rising slope of The Site PC83 area are afforded through gaps in the riparian vegetation, but such views are primarily limited to users of Tangaroa Road who are transitory in nature.
- 6.30 However, in Mr Cocker's opinion, a planted strip would helpfully screen views of The Site from the identified building areas within Lots 42 and 43 DP 348513. These building areas are afforded views of parts of The Site, albeit that the boundary between The Site and Lot 43 has already been planted with an approximately 5m wide buffer of native planting. He concludes that there would be some merit in a landscape strip between The Site and Lot 42 in the vicinity of the identified building site. The location and extent of the recommended buffer strip is illustrated in an attachment to Mr Cocker's evidence. These are based on the relative proximity of the Lot 42 building area to the boundary of The Site and the potential of the future dwelling offering views of future development on the crest of the spine ridge and on the northern slopes.
- 6.31 Having considered Mr Cocker's assessment, I concur with his proposal and reject the proposal of a landscape strip along the entire boundary of The Site and the Bream Tail Farm land.

7. RESPONSE TO SUBMITTERS

- 7.1 I have reviewed the submissions and respond to those relating to urban design.

Effects on the character and amenity of Mangawhai

- 7.2 Several submitters raise concerns about PC83, citing effects on the character and amenity of Mangawhai. These include comments relating to the existing lifestyle of the community, the rural character, light pollution, and devaluation of properties. In some cases, the proposed minimum lot sizes are mentioned as contributors to this. I focus on urbanisation of The Site first and respond to the matter of minimum lot sizes under a separate heading below.
- 7.3 The urbanisation of the Site has been comprehensively considered during the Spatial Plan production process. The Spatial Plan, adopted by the Council in late 2020, documents the criteria and process that were used to determine that The Site, as well as a site near the intersection of Tara Road and Moir Street, is suitable for residential development enabled by the Residential Zone or similar.
- 7.4 I note that the Spatial Plan is based on the following aim for the *Living environment*: 'Direct growth outcomes which support community needs and housing choices'. It goes on to explain that this means to: 'Make more efficient use of the existing, and slightly expand, the residential zone'; 'Create rural residential zones' and 'More strongly protect the rural zone for rural production activities'. The plan explains that a *managed approach* to the population growth and residential development of Mangawhai is required. This would better provide for the needs of a changing community, address the adverse effects on the rural area, and respond to the desire of the community to retain the unique coastal landscape character and amenity of Mangawhai.
- 7.5 I dismiss the concerns of the submitters on this matter and find that PC83 gives effect to the Spatial plan. In my view The Site is suitable to contribute to a, for Mangawhai, wider housing choice (including the provision of more affordable housing options, at least in terms of land area) and will contribute to urban sustainability through more efficient use of land and infrastructure. Development of The Site will result in the protection of rural character of land elsewhere that is less suitable for urban development. The plan provisions are introduced to achieve an optimum balance between providing for residential growth and managing impacts on the character of the surrounding area.

Minimum lot sizes

- 7.6 Several submitters indicate they do not support lot sizes being less than 600m², or that lots as small as 400m² are too small. The reasons behind this vary somewhat, but several state the rural, low-density character of the area, adverse impacts on visual

amenity, and that The Site should provide a “transition between the countryside and the suburb”. Also stated is the consistency with the existing ODP Residential Zone. Suggested suitable minimum lot sizes for The Site range from 600m² to 800m², with a minimum average of 750m² also suggested.

- 7.7 In response, I confirm that the latest version of PC83 now proposes that subdivision with a minimum lot size of 600m² will be a Permitted activity, replacing the earlier proposed 400m². With this increase, the minimum average of 600m² is no longer required, as this will automatically be achieved. The main reason for this increase is based on the requirements for on-site water supply. I explain this in detail and provide my response to this in a memo dated 31 January 2024, contained in **Attachment 3**.
- 7.8 However, my support for the 600m² minimum lot size is based on the suitability for adequate water supply. From an urban design perspective, I maintain that, with careful design, lots as small as 400m² could be incorporated, provided compliance with the full set of provisions (including those on water supply), especially on the flatter parts of The Site and balanced with larger lots to result in an average of at least 600m².
- 7.9 My response to the submitter who argues that 400m² is too small for the residential sites and that ‘it will ruin the transition area between the countryside and the suburbs’, is that this transition is already provided through the rural-residential use of the land to the west and north of The Site, while to the south and east The Site is contiguous with the Residential Zone. Notwithstanding this, a minimum 600m² lot size is appropriate and will not compromise urban design outcomes.

Minimum lot size in the Northern Sub-Precinct

- 7.10 Bream Tail Residents Association and Northern Farms Limited (Submitter 8) seeks that Rule 13.13 be amended to require every proposed allotment within the Northern Area as shown on Precinct Map 1, or where a boundary is shared with the submitter’s property, to have a minimum net site area of 8,000m².
- 7.11 I disagree with this submission. The Northern Sub-Precinct is buffered from the submitter’s property by dense vegetation. The minimum lot size of 1,000m² allows for generous on-site vegetation providing a transition between the northern vegetation and the balance of The Site. A minimum net site area of 8,000m² would convert this part of The Site to a rural-residential use, which is provided for to the west and southeast of Mangawhai. This would contradict the Spatial Plan, and the associated principles of

housing choice, affordability, and sustainability through efficient use of land and infrastructure.

- 7.12 As explained before, the rural-residential use of the land to the west and north of The Site provides a transition between rural and urban, while The Site is considered suitable to 'fill in' the area between rural-residential and urban, similar to the land to the east of The Site that already has a Residential Zone.

Opposition to one of the streets and one of the on-street cycleways in the Concept Plan

- 7.13 Submitters 52 and 57 oppose one of the proposed streets on the Concept Plan that traverses their respective properties. These submitters refer to one of the east-west streets in the location of a current right-of-way providing access to, and connectivity between, multiple properties. They view it would have adverse effect on their environment, lifestyle, quiet enjoyment, and property values.
- 7.14 Submitter 67 opposes the proposed development as one of the proposed on-street cycleways on the Concept Plan runs through the submitter's property. In the submission the question is asked why the cycleway would run through the middle of the property and not on the boundary.
- 7.15 In response I point out that the Concept Plan, that has been introduced in the urban design report, has merely served as a tool to inform the production of PC83, while the Cove Road North Precinct Plan is taken forward into PC83 and is incorporated into the provisions via the proposed assessment criteria. Any streets or cycleways would be constructed only if necessitated by the possible future redevelopment of properties that would require access in these approximate locations. The streets and cycleways outlined would be sensible from an appropriate design and efficient development perspective, but it is my understanding that they are not required and, if built, that the exact location is flexible in a regulatory planning sense.

Building setbacks

- 7.16 One submitter requests that all proposed buildings setbacks will be consistent with the existing Residential Zone in the ODP.
- 7.17 I agree with this submission on the following aspects:

- (a) As explained in my response to the s42A report and again below in response to a submission on this point, I agree with a 5m minimum front setback along Mangawhai Heads Road, which would make this consistent with the existing Residential Zone.
- (b) As explained in my response to the s42A report, I also agree with a 5m front setback throughout The Site, but only for garages.

7.18 However, I disagree with the balance of this submission, as the setbacks proposed in PC83, in conjunction with other provisions, strike an optimum balance between residential amenity, neighbour impacts and efficient use of land.

Building setback from Mangawhai Heads Road

7.19 One submitter views the minimum front setback of 3m will appear out of proportion along the length of Mangawhai Heads Road, given that the surrounding area generally has a road boundary setback of 5m. This submitter seeks that the rule is amended to be consistent with the adjoining areas zoned as Residential.

7.20 As explained in my response to the s42A report, I agree with this submission.

Impermeable surface and building coverage

7.21 Several submissions do not support the proposed provisions for impermeable surface (maximum of 60%) and building coverage (maximum of 45%). Many of these argue that those in the existing Residential Zone should be adopted (40% and 35% respectively). The reasons for this include stormwater effects, but also the perceived loss of amenity and impacts on character are mentioned.

7.22 For a response to the stormwater matter, I rely on the evidence of Mr Rankin.

7.23 I also find that the relationship between these provisions and urban amenity and character is only limited. Minimum lot size, building bulk and location, and fence provisions play a far greater role. Lastly, it is important to realise that these maximums will unlikely be reached on 600m² lots, as illustrated on **Figure 2** in **Attachment 2**.

7.24 However, as explained in my response to the s42A report on this topic, I find that subdivision into lots as small as 400m² could be considered for The Site as a Restricted Discretionary activity, with adequate on-site water supply a key matter of discretion,

alongside urban design matters. The impermeable surface and building coverage provisions proposed by PC83 are compatible with this option.

Private open space

- 7.25 In the submissions a request is made for the PC83 requirement for private open space to be brought in line with the ODP and increase the area to at least 50% of the Gross Floor Area of the dwelling.
- 7.26 Above I respond to a similar suggestion made in the s42A report. In summary, I consider a private open space of at least 20m² to provide an appropriate level of residential amenity, if also the requirements in proposed rules (b) through to (f) are met. However, I note that on lots larger than 600m² (and even down to 400m²) private open spaces will likely be much larger due to compliance with other provisions, including maximum building coverage.

Parks

- 7.27 A concern is outlined in the submissions as to how reserves and recreational space will be supported. It is argued that the two parks identified on the proposed Concept Plan are not sufficient to support the residential development.
- 7.28 It should be noted that the open spaces are only indicatively shown on the Concept Plan which has merely served as a tool to inform the production of PC83.
- 7.29 The beneficial functions of public open spaces in residential areas are well-documented and it is likely that one or more public open spaces would be needed to support future development of the Site. However, the number, locations and sizes of open spaces will be determined based on multiple factors related to the exact residential layout, density, development sequence, and the Council's detailed needs and requirements.
- 7.30 It should also be noted that required setbacks from ecological features, will 'automatically' create open spaces.

Urban design assessment

- 7.31 The submissions include a concern that the urban design assessment that forms part of the PC83 application does not reference water reticulation.

- 7.32 In response, I confirm that the urban design assessment was produced based on The Site's opportunities and constraints known at the time. This included information on engineering to a level appropriate for the PC83 application. Technical feasibility regarding water supply is therefore implied in the assessment, although not specifically used as a criterion to avoid an overlap with the engineering assessment.

Submissions in support

- 7.33 Several submissions are in support of PC83. Aspects mentioned include high-quality urban design, the provision of extensive walking and cycling connections, the protection of ecological features, and the provision of open space.
- 7.34 As outlined in my conclusion, I concur with these supportive comments.

8. CONCLUSION

- 8.1 I remain in support of PC83, because in my view the proposal is in line with best practice urban design in terms of its contribution to the wider context, response to the public realm and neighbouring private properties, and residential amenity of the development it enables. However, in response to the s42A report and submissions, I have made this support conditional upon:

- (a) Updates to the indicative street and cycling connections in the Precinct Plan to ensure it is consistent with traffic expert advice.
- (b) Amendments to the provisions for the Northern Sub-Precinct with regards to impermeable surface, building coverage and private open space to align these with the ODP.
- (c) Increasing the building height limit in the Northern Sub-Precinct to 7m, with provisions for a maximum of 50% of the vertical height of the roof (up to 1m) over 7m in height to limit adverse landscape and visual impacts and avoid undesirable design implications, such as excessive retaining, impractical layouts or unattractive roof forms.
- (d) Increasing the minimum building setback along Mangawhai Heads Road to 5m (instead of the 3m proposed for all road interfaces except for Cove Road where 5m is the proposed minimum) to ensure consistency with the existing built form on the southern side of that road.

- (e) Increasing the minimum front setback of garages to 5m to enable parking a car in front of the garage without it overhanging the footpath or other parts of the road reserve, and also to reduce its visual prominence in the streetscape.
- (f) The introduction of an at least 2m wide landscape strip along the boundary of The Site with the building site on Lot 42 of the Bream Tail Farm to screen views of future development on The Site from the future dwelling on this land.

Wayne Bredemeijer

Date: 23 February 2024

LIST OF ABBREVIATIONS USED IN THIS STATEMENT OF EVIDENCE:

Council	Kaipara District Council
NRPS	Northland Regional Policy Statement
RMA	Resource Management Act 1991
s32	Section 32 of the RMA / Council's Section 32 Evaluation Report
s42A	Section 42A of the RMA / Council's Section 42A Report
ODP	Kaipara District Plan
PC83	Private Plan Change 83
the Spatial Plan	The Mangawhai Spatial Plan
The Site	The land subject to Private Plan Change 83

Attachment 1 – CV of Wayne Bredemeijer



Wayne Bredemeijer MSc (Urbanism); Assoc.NZPI; Affiliate Member of IPENZ Transportation Group

SENIOR ASSOCIATE, URBANISMPPLUS LTD, AUCKLAND

RELEVANT EXPERTISE

Wayne is an urban designer with approximately 22 years full-time professional experience, of which 19 years in New Zealand. He is trained in The Netherlands at Delft University of Technology (Department of Architecture) and has worked for several specialised Urban Design consultancies in New Zealand and The Netherlands, working as a senior consultant and project manager for both private and public sector clients.

He has expertise in strategic urban design input in revitalisation and urban growth projects and high-level through to detailed design input in structure plans and master plans. Wayne has also provided input as a member of urban design panels, through urban design assessments, and as expert witness in numerous Council and Environment Court hearings.

RELEVANT PROJECT EXPERIENCE

- **Strategic Growth Planning:** Mangawhai Spatial Plan; Marlborough District Urban Growth and Development Strategy (*NZPI Award 2011*); New Plymouth District Blueprint; Coromandel Local Area Blueprints project; Horowhenua District, Hamilton; Hastings Medium Density Strategy; Marlborough Medium Density Strategy; Waikato District Blueprint; Tamworth (NSW) Blueprint.
- **Structure Plans and Development Frameworks:** Iona (Havelock North); Brookvale (Havelock North); Design frameworks for new libraries in Blenheim and Picton; Paraparaumu Town Centre; Wanaka Three Parks; Pauatahanui-Judgeford (Porirua); Adelaide Road Area (Wellington).
- **Town and City Centre Revitalisation:** Wollongong (NSW); Dunedin; Invercargill; Blenheim; Northcote; Belmont; Hastings; Hutt City; Avondale; Whanganui; Panmure.
- **Masterplans:** Redevelopment plans for Kāinga Ora; Panmure TOD Masterplan and Property Study; numerous masterplans and subdivision layouts for private sector clients around New Zealand, including Amberfield in Hamilton, Karaka North Village, and 'The Hill at the Mission' in Napier.
- **Urban Design Guidelines, Quality Control, Assessments, and District Plan submissions**, with highlights:
 - Various urban design guidelines.
 - Waikato District.
 - Matamata-Piako District.
 - Auckland Council's Tāmaki Makaurau Design Ope (ongoing).
 - Numerous private sector clients.
- **Transport-related Urban Design:** Transport for Future Urban Growth project (for NZTA, Auckland Transport, and Auckland Council) (*NZPI Award 2017*); Urban design assessment for Lincoln Road corridor improvement Notice of Requirement; Option development and assessment process for the East West Link project (for NZTA and Auckland Transport); several Corridor Management Plans in Auckland; urban design assessments for NZTA, including the Woodend State Highway realignment.
- **Research, Education, Conference Talks:** Contributions to two research projects on the relationship between urban design and transport (for NZTA); conference addresses in Taupo (2010), Hobart (2011), Hamilton (2013), Auckland (2014) and Napier (2019); occasional guest critic and lecturer at University of Auckland, School of Planning and Architecture.

CAREER PROFILE

2022+

Senior Associate, Urbanismplus Ltd.

2014+

Urban Design Manager, Urbanismplus Ltd.

2010+

Senior Urban Designer, Urbanismplus Ltd.

2009+

Guest critic (occasional) in studio sessions of the Master of Urban Design programme, University of Auckland

2008-2010

Urban Designer, Urbanismplus Ltd.

2005-2008

Urban Designer, Urban Initiatives Ltd. (Auckland)

2002-2005

Urban Designer, Rein Geurtsen & Partners (Delft, The Netherlands)

2001-2002

Master thesis in conjunction with Ministry of Housing, Spatial Planning and the Environment, The Netherlands

1999-2002

Part-time Urban Design assistant, Rein Geurtsen & Partners (Delft, The Netherlands)

1995-2002

Master of Science (Urbanism), Delft University of Technology (Department of Architecture)

Attachment 2 – Supporting figures

Figure 1.
Site opportunities
and constraints

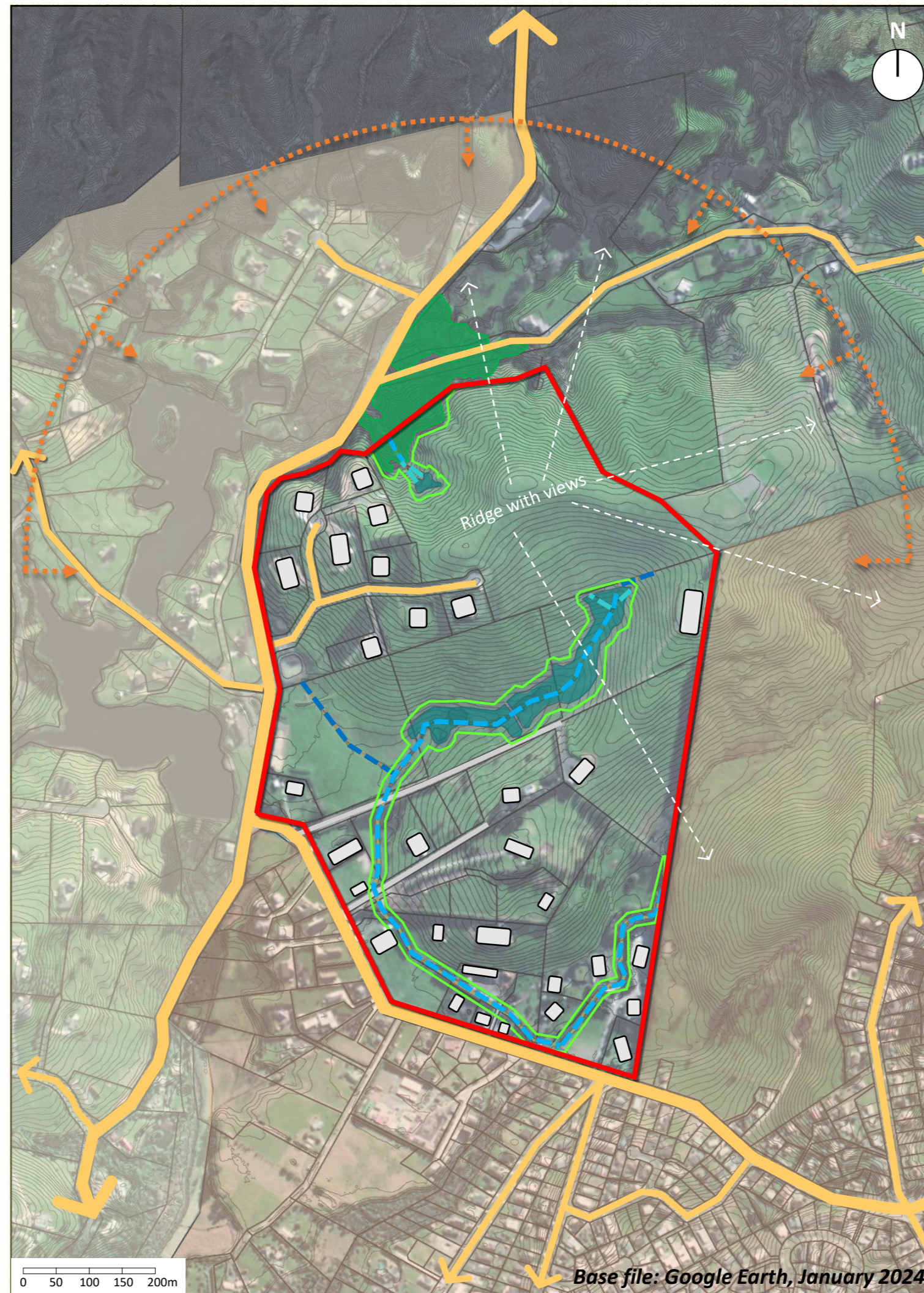


Figure 2.

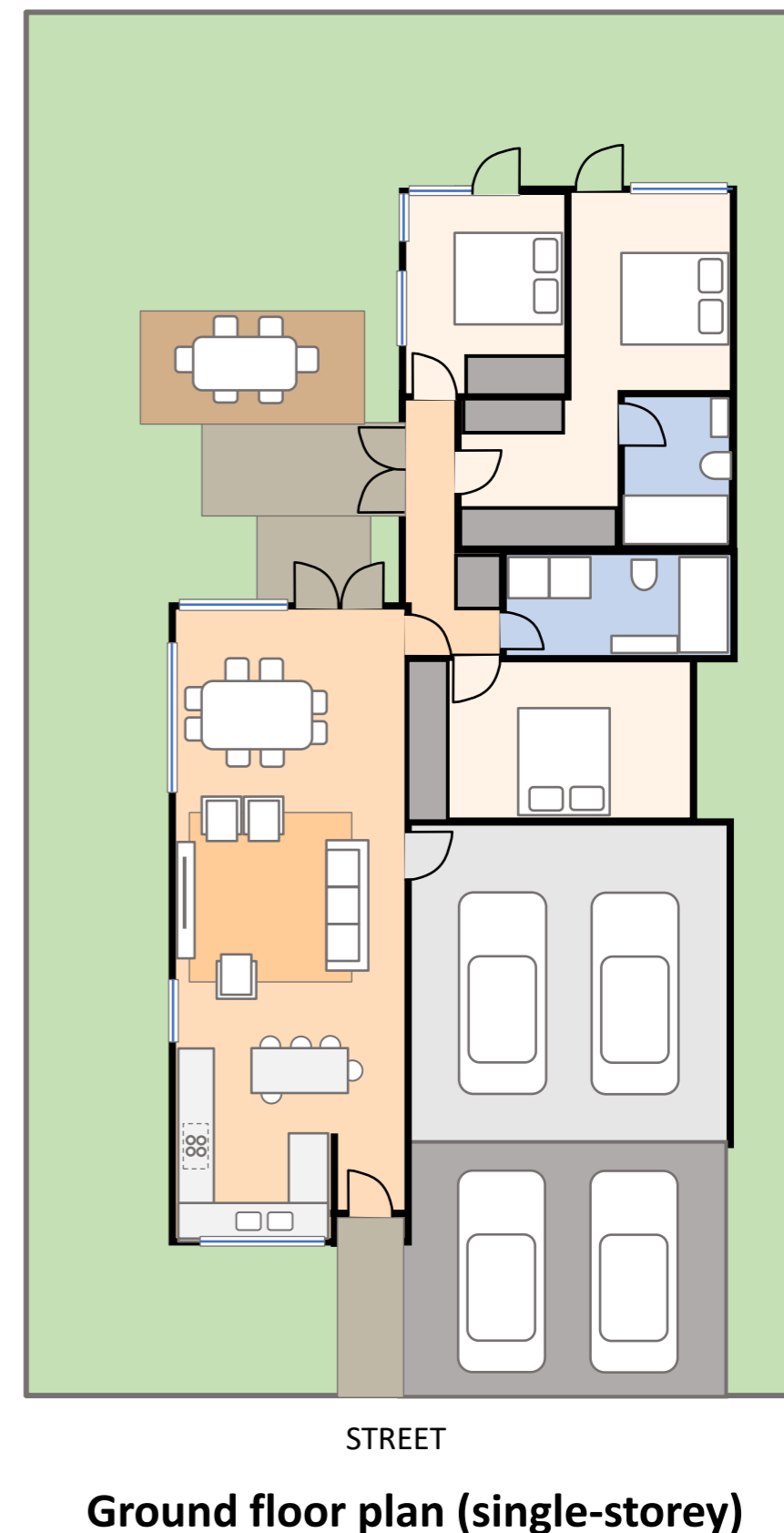
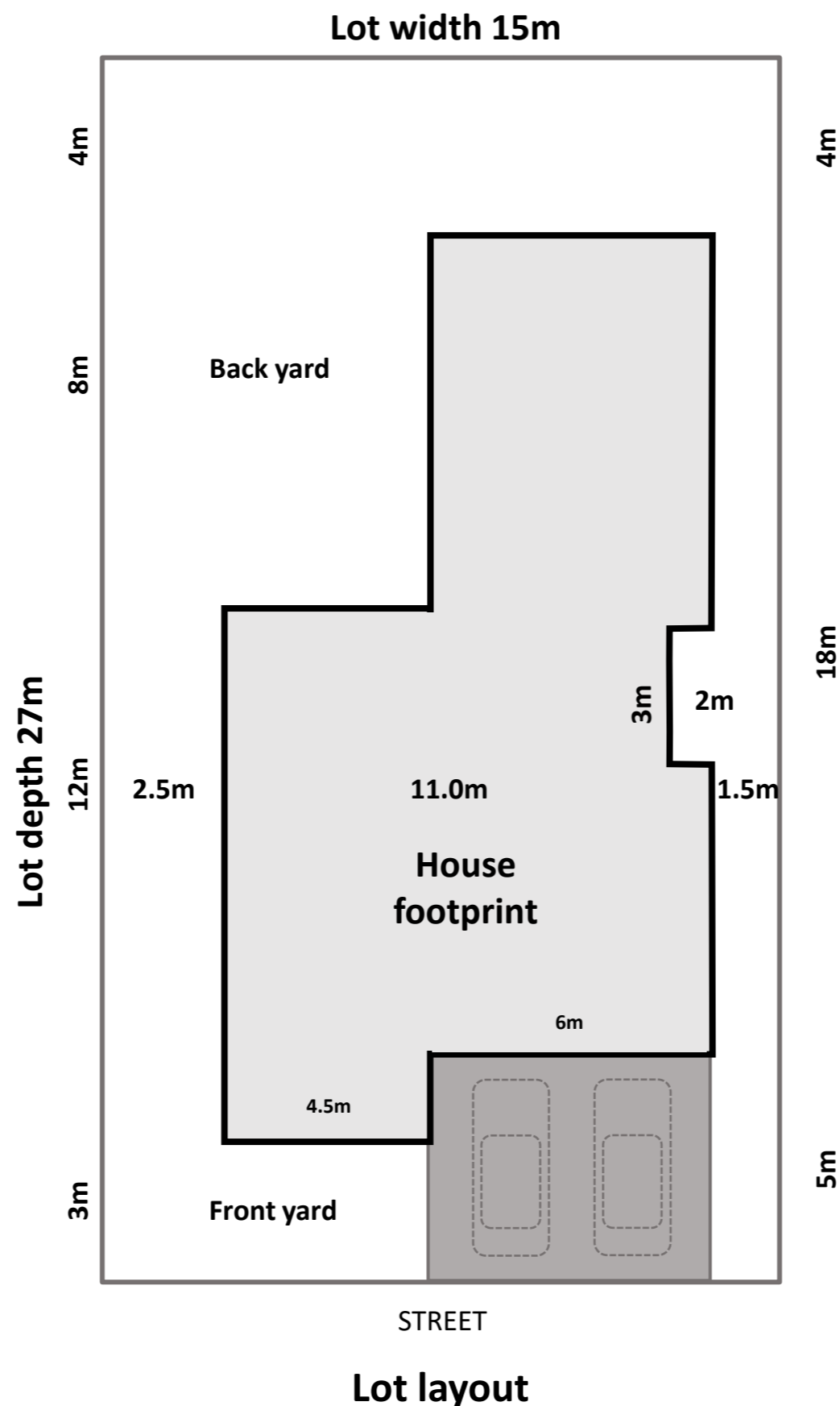
Design test for: Impermeable surface and building coverage

Lot area: 405m²
Building footprint: 159m²
Driveway: 30m²
Garden area: 216m²

- Impermeable surface:
 $189\text{m}^2 / 405\text{m}^2 = 47\%$
- Building coverage:
 $159\text{m}^2 / 405\text{m}^2 = 39\%$

Assume this same dwelling
on a 600m² lot:

- Impermeable surface:
 $189\text{m}^2 / 600\text{m}^2 = 32\%$
- Building coverage:
 $159\text{m}^2 / 600\text{m}^2 = 27\%$



Attachment 3 – Memo regarding minimum lot size by Wayne Bredemeijer, Urban Designer and Senior Associate Urbanismplus Ltd, dated 31 January 2024

PRIVATE PLAN CHANGE 83 MANGAWHAI MINIMUM LOT SIZE

Prepared for: Kaipara District Council

Prepared by: Wayne Bredemeijer, Urban Designer and Senior Associate Urbanismplus Ltd

Date: 31 January 2024

INTRODUCTION

Urbanismplus has prepared an urban design report in support of an application for a private plan change, Private Plan Change 83 (PPC83), for the area known as Cove Road North in Mangawhai by The Rise Ltd (the Applicant). Urbanismplus is engaged by the Applicant and has contributed to the production of the PPC83 provisions.

RESULTS FROM THE THREE-WATERS ASSESSMENT BY CHESTER CONSULTANTS

We understand that Chester Consultants have recently undertaken a more comprehensive three-waters assessment than initially prepared, including for on-site potable water supply. At this stage, on-site water supply (i.e. rainwater tanks) is understood to be the only feasible water supply option. A key conclusion from this assessment is that lot sizes of less than 600m² with onsite water supply cannot be supported as a Permitted planning activity.

AMENDMENTS TO THE PROPOSED PROVISIONS

In response to this, the proposed provisions have been adjusted (underlined added; strikethrough deleted), as follows:

Rule 13.13X

The Cove Road North Precinct Subdivision

Subdivision Design Rules:

2. Any subdivision within the Cove Road North Precinct shall ensure:

- a. Every allotment has a minimum net site area of 600m² ~~400m²~~ except where the proposed allotment is located within the Northern Area as shown on Precinct Map 1; or
- b. Every proposed allotment within the Northern Area as shown on Precinct Map 1 has a minimum net site area of 1000m²; ~~and~~
- c. ~~Proposed allotments have an average size of at least 600m².~~

Additionally, provisions for water supply have been added, for either the scenario that Council water supply is available, or the scenario in which a public supply is not available or utilised.

In the latter, most likely, scenario, water supply shall meet the requirements of a table providing a relationship between roof catchment (in m²), number of bedrooms, and water storage tank volume (m³).

Not meeting these requirements (e.g. by applying for a roof size that is smaller than required for the number of bedrooms in the dwelling, or a tank that is smaller than required for the roof size and number of bedrooms), means an RD planning status, with the following matters over which discretion is restricted:

- i. Whether, and the extent to which, an adequate supply of water can be provided to every allotment being created on the subdivision.
- ii. Whether, and the extent to which, the water supply meets the requirements of the Kaipara District Council Engineering Standards 2011 or has been confirmed as appropriate by Council's Engineer.
- iii. Sufficient firefighting water supply is available.

Using the above RD 'route', therefore offers the possibility to apply for lot sizes smaller than 600m², provided these meet the water supply provisions, or satisfy the matters of discretion, e.g. in the scenario of more compact dwellings (with relatively small roof sizes) on these smaller lots.

URBANISPLUS' RESPONSE TO THE AMENDMENTS TO THE PROPOSED PROVISIONS

Urbanisplus supports the above amendments, given the required reliance on on-site water supply, which is crucial for the urban development of the site.

Subdivision with lot sizes smaller than 600m² will now be a Restricted Discretionary activity, with on-site water supply a key matter of discretion.

There is a connection between lot size and housing affordability as well as environmental sustainability (the efficient use of land and infrastructure), with smaller lots generally being more affordable and achieving a more efficient use of resources when compared to larger lots. To lend slightly greater support to smaller lots (provided robust engineering requirements can be met), Urbanisplus recommends that housing affordability and environmental sustainability be given greater emphasis in the policies. The following amendments (underlined added) to Policy PRECX-P1 are proposed:

Cove Road North Precinct Subdivision

To provide for a range of site sizes and densities, and subdivision layout where:

1. *A mixture of allotment sizes is provided that have the ability to accommodate different housing typologies, including affordable housing.*
2. *There is sufficient infrastructure / servicing to accommodate the development.*
3. *A well-connected pedestrian, cycling and transport network is achieved.*
4. *The subdivision design and allotment sizes respond to the topography and physical characteristics of the land.*
5. *Good design of subdivision is achieved by the following:*
 - a. *Lots are generally shaped, sized and orientated to achieve positive sunlight access, onsite amenity, privacy and outlook.*
 - b. *The creation of rear lots is minimised, except where there is no practicable alternative.*
 - c. *Integration and connectivity with adjacent sites to enable future development opportunities.*
 - d. *The efficient use of the land and infrastructure.*

NEXT STEPS

Urbanisplus will prepare evidence for the upcoming PPC83 hearing. This will likely cover the following (besides standard sections like introduction, scope, executive summary, and conclusion), with content related to this memo printed in bold:

- Summary of urban design report including a description of the key site characteristics, and a description and assessment of the original proposal.
- **The amendments to the provisions that have resulted from recent detailed other assessments, and an urban design assessment of these.**
- A response to the matters in the Section 42A report insofar relevant to urban design.
- A response to submissions insofar relevant to urban design.