

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE WAIKATO DISTRICT COUNCIL**

IN THE MATTER Of the Resource Management Act
1991 (the Act)
AND

IN THE MATTER OF Of hearing submissions and further
submissions on the Proposed Waikato
District Plan

SUBMITTER Ohinewai Lands Limited

Submitter [No. 428]

STATEMENT OF EVIDENCE OF TONY MCLAUHLAN

Dated: 21 August 2020

Introduction

- 1 My name is Antony (Tony) James McLauchlan. I am the Director of ProperT Ltd.
- 2 I hold the qualifications of Bachelor of Business Studies (Honours) majoring in Valuation and Property Management from Massey University along with a Masters of Business Administration from the University of Waikato.
- 3 I have over 30 years' experience in property development, investment and management. This experience has included large scale infrastructure and development projects and involved extensive engagement with a wide variety of commercial and community stakeholders.
- 4 Between 1993 and 1996 I held positions in the property division of the Electricity Corporation of New Zealand in Wellington, including that of Acting Manager – Property and Administration. Between 1997 and 2001 I was a Property Consultant and Director of Knight Frank in Hamilton. From April 2001 to September 2011 I was employed by the Perry Group Limited in Hamilton, first as Manager – Projects until 2004 and then from 2004 to 2011 as General Manager Property. Following this I was the Ruakura Project Manager for Tainui Group Holdings until late 2014 when ProperT Ltd was established.

Background

- 5 I have been engaged as a development advisor by Ohinewai Lands Limited (*Oll*) in respect of their land at Ohinewai.
- 6 I am giving this evidence as a company representative of *Oll*, not as an expert, to assist the Commissioners with the position being sought by *Oll*.

Scope of evidence

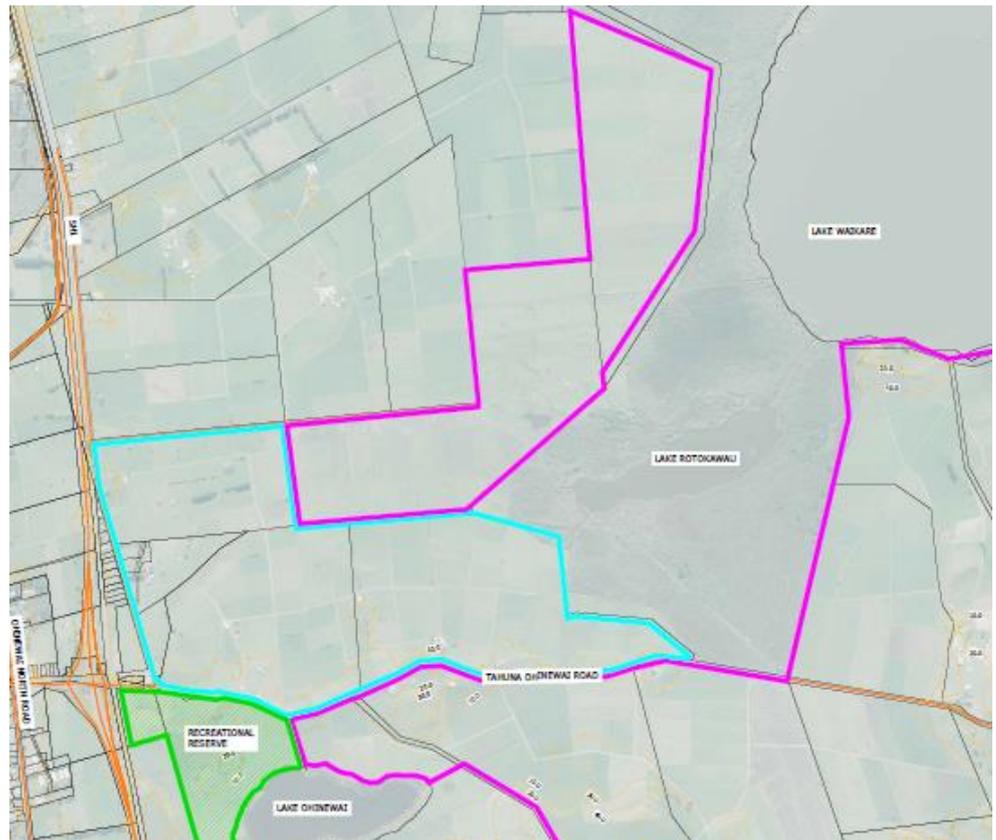
- 7 My evidence addresses the following:
 - (a) Introduction to *Oll*.

- (b) An overview of the residential growth opportunity on OLL's land.
- (c) Key issues for OLL.
- (d) Consultation.
- (e) Conclusion.

Introduction

- 8 The Directors of OLL are members of the Peacocke family whose other business interests include considerable farming and land development interests around the wider Waikato region. The Directors' land development interests include the Rangitahi subdivision in Raglan and the Amberfield subdivision in Hamilton. As a result, the Directors of OLL have significant experience in land development, in particular large scale greenfield urban development projects in the Waikato region.
- 9 OLL is the owner of rural properties which, together with land owned by Waikare Lands Limited (*WLL*), are in excess of 1,300 hectares in the wider Ohinewai area situated both to the north and south of the site owned by Ambury Properties Limited (*APL*). The land is currently used for dairy, beef, chicken and cropping operations.
- 10 Land surrounding the APL site which is owned by OLL and WLL is shown in Figure 1 below. The OLL and WLL land is shown in pink outline. The properties include land which is located on Balemi Road immediately north of the APL site and land which is located opposite the APL site and immediately south of Tahuna Road.

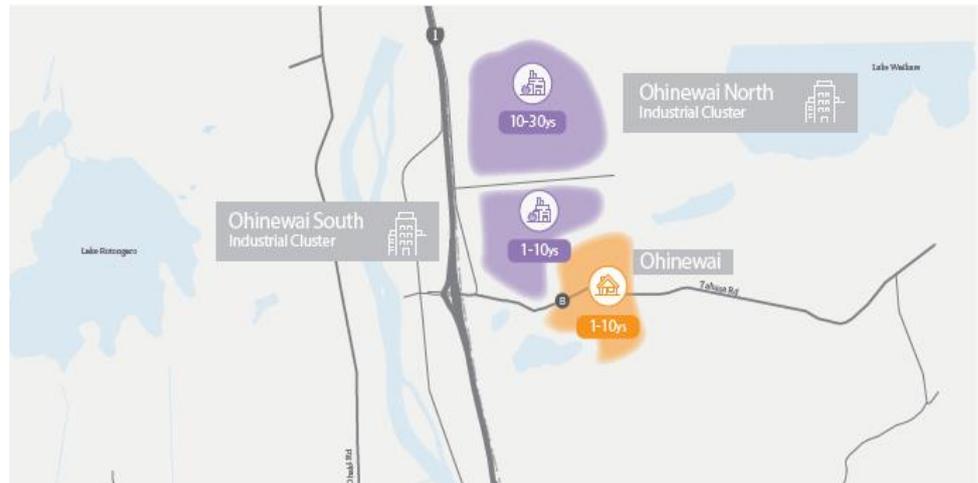
Figure 1: OLL and WLL Land



- 11 Figure 2 shows OLL's land to the north of the APL site is identified as part of the Ohinewai South Industrial Cluster (1-10 years) on the Huntly and Ohinewai Development Plan in the Waikato 2070 Strategy.¹ OLL's land to the south of Tahuna Road is identified as part of the Residential Activity Zone (1-10 years) on the same Development Plan in Waikato 2070. OLL was a submitter to Waikato 2070 and presented at the Waikato District Council hearing on the strategy.

¹ Page 34 of the Waikato District Council Growth and Economic Development Strategy 2070 and also included as Attachment 1 to this evidence.

Figure 2: Waikato 2070 Ohinewai Development Plan



- 12 Since notification of the pWDP the policy landscape has changed, in particular with the release of Waikato 2070. The technical work commissioned by OLL has been focused on the residential development opportunity, which is reflected below, but OLL is interested in both the future residential and industrial opportunities identified in Waikato 2070 for its land holdings.

Residential Development Opportunity

- 13 In October 2019, OLL engaged a consultant team to identify and consider the potential for an area of approximately 39 hectares of its land, located between Tahuna Road and Lake Ohinewai, to be developed in the future (*the Site*) for residential and open space uses. The Site is shown in Figure 3 below.

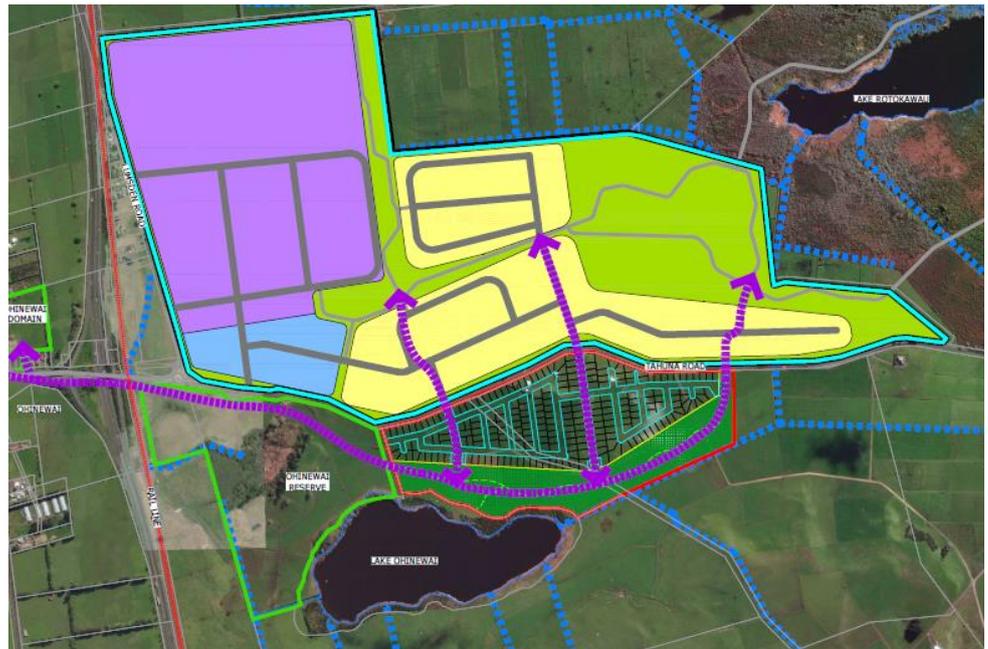
Figure 3: OLL Site and proposed growth area



- 14 The consultant team included urban design and landscape master planning inputs by Boffa Miskell, planning and civil engineering inputs by Harrison Grierson and archaeological inputs by Warren Gumbley. A section 32AA report was prepared and submitted to Waikato District Council.
- 15 The Site consists of rolling topography that ranges from a peak of approximately RL 33 metres to approximately RL 7 metres in the southern part of the Site. The master planning work² in Figure 4 below identified approximately 23 hectares of the Site as being suitable for residential development, with the remaining 16 hectares being proposed open space around the northern margins of Lake Ohinewai and adjoining the existing Ohinewai Reserve.

² Included in Appendix 1 of the Urban Design, Landscape and Visual Assessment produced by Boffa Miskell and as Attachment 2 to this evidence.

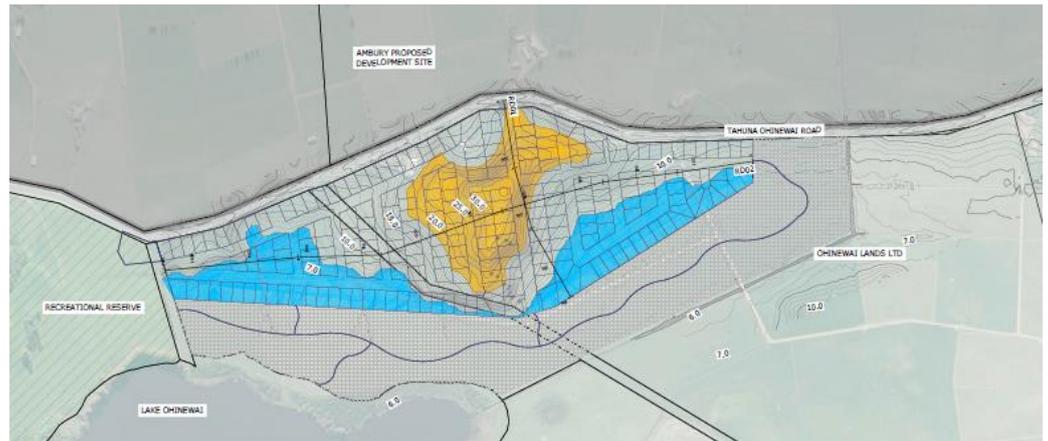
Figure 4: OLL master plan



- 16 Of the 23 hectare area identified for future residential use, approximately 70% sits above RL 8 metres (i.e. above the 1% AEP flood level)³, as shown by Figure 5 below. The remaining area of land below this is able to be filled using cut material from the higher areas of the Site to achieve suitable levels for residential development. The topography of the Site is therefore suitable for rezoning in the future due to its natural elevation compared with other land in the area.

³ Ohinewai Future Development Area Cut Fill Plan produced by Harrison Grierson in the Infrastructure Services Assessment in the Section 32AA Report and at Attachment 3 to this evidence.

Figure 5: Ohinewai future development area cut fill plan



- 17 OLL is not seeking rezoning of its land through the proposed Waikato District Plan (*pWDP*) process however through its submission is seeking that the provisions of the *pWDP* do not preclude rezoning its land for residential purposes in the future. OLL recognises the short term infrastructure constraints associated with residential development at the Site. Although APL is proposing solutions for these matters to enable development of its land in the short term, OLL anticipates that APL's Ohinewai Structure Plan will need to be subject to a substantial update in future to realise the full development potential (residential and industrial) identified for Ohinewai in Waikato 2070.
- 18 While not seeking rezoning through the *pWDP* process, OLL actively participated in the Waikato 2070 growth strategy. It has also been in discussions with Watercare regarding the Mid-Waikato Servicing Strategy and it intends to participate in Phase 2 of the Future Proof Growth Strategy update and it is monitoring information and opportunities related to the Hamilton to Auckland Corridor Plan. OLL believes that encouraging growth of the Mid-Waikato in locations such as Ohinewai will be beneficial not only to ensuring the delivery of infrastructure upgrades to address existing non compliance issues, but also to the regeneration of existing settlements. OLL confirms that its submission, further submission and section 32AA Report still represent its position with respect to the residential development opportunity for the Site south of Tahuna Road. My evidence and the position statement also address OLL's position on the industrial opportunity to the north identified by Waikato 2070.

- 19 OLL supports the development of industrial, commercial and residential activities at Ohinewai, i.e. outcomes which are consistent with the Waikato 2070 Strategy.

Key Issues for OLL

- 20 OLL is seeking that the future rezoning of its land is not precluded through the pWDP process. To reflect that relief, OLL is interested in access, the Tahuna Road interface and the Ohinewai Structure Plan produced by APL⁴.

Access

- 21 OLL supports the potential future connections to its land which are shown on the APL Masterplan, provided these connections are suitably designed to accommodate likely demand generated through future development of OLL land⁵. These include:
- (a) The locations marked 15, which provide potential access from the APL site in two locations to the OLL land immediately to the north. This OLL land is part of the Ohinewai South Industrial Cluster (1-10 years) which is identified on the Huntly and Ohinewai Development Plan in Waikato 2070.
 - (b) The future roundabout on Tahuna Road marked 21, which provides potential access to the Site to the south via a fourth roundabout leg which could be added in future.
- 22 OLL understands that the APL Masterplan is not proposed to be included in the PWDP. While the future roundabout access off Tahuna Road is included on the Structure Plan, the potential access locations from APL's site to the northern land owned by OLL are not. OLL considers there is the risk of these opportunities for access to the north of the APL site being lost if they are not reflected in the Structure Plan, particularly as they access land identified in Waikato 2070 for future industrial use. OLL therefore would like to see these future connections being shown on the current Structure Plan.

⁴ Attachment B to the evidence of Jonathan Broekhuysen of behalf of Ambury Property Limited.

⁵ Attachment A to the evidence of Jonathan Broekhuysen of behalf of Ambury Property Limited.

- 23 OLL understands that the easternmost intersection on Tahuna Road which was originally proposed by APL is now no longer included on the Ohinewai Structure Plan. The location of this intersection is shown on Figure 4 of the section 32AA report filed on behalf of OLL⁶. That intersection was adjacent to OLL's land south of Tahuna Road and it would have provided an additional option for access to OLL's land in future.
- 24 OLL's intention for any future development on the Site is to provide connectivity with the residential component of APL's development. To assist in achieving this, while OLL's preference is for the easternmost intersection to be retained within the Ohinewai Structure Plan, if the intersection is not included then options for future pedestrian and cycle connections between the APL and the OLL Site should be preserved as a minimum. This could occur through identification on the current Structure Plan of the 'indicative shared path network' within the APL site extending to Tahuna Road opposite the OLL site.

Tahuna Road Interface

- 25 OLL considers that it is important that the interface of the APL development to Tahuna Road is appropriately designed to ensure a positive relationship between the APL site and the OLL site if the OLL site is zoned for urban purposes in future. It is important that development on the APL site does not 'turn its back' to Tahuna Road.
- 26 OLL's preference is for future development on the APL and OLL sites to directly interface with Tahuna Road with suitable speed restrictions to provide a safe urban road environment and clearly signal to road users that they have entered Ohinewai. However, if that is not to be the case then OLL generally supports the provisions proposed by APL in its evidence which:
- (a) Limit fencing by restricting solid fences/walls to 1.2m in height and visually permeable fences to 1.8m in height along the Tahuna Road boundary⁷.

⁶ Section 32AA Report produced by Harrison Grierson on behalf of Ohinewai Lands Limited, dated 5 December and filed with the Panel on 6 December 2019.

⁷ Existing Land use – Building rule 16.3.4 as set out in Attachment B3 of the evidence of John Olliver for Ambury Properties Limited.

- (b) Provide proposed assessment criteria where visual interest and limiting fences and walls will need to be considered for development adjoining Tahuna Road⁸.
 - (c) Require a Landscape Concept Plan which details fencing and landscape treatment of lots along the Tahuna Road frontage to create an attractive and open interface to Tahuna Road⁹.
- 27 The retention of an attractive and open interface to Tahuna Road will depend on the landscape design and treatment of the 'indicative open space network' shown on the proposed Ohinewai Structure Plan along Tahuna Road, as well as fencing and landscaping within lots (noting that Subdivision Rule 16.6.5 RD7(i) relates to lots only and not the open space network along Tahuna Road). Therefore any amendments to the proposed provisions should be aimed at improving this entire interface.

Ohinewai Structure Plan

- 28 OLL has always considered that a structure plan for the wider Ohinewai area is essential to ensure good development outcomes in Ohinewai.
- 29 Now that Waikato 2070 has been released, in addition to showing future access connections, OLL considers that the Structure Plan should also recognise a 'potential future residential growth area including open space' over the Site south of Tahuna Road to align with what is shown in Waikato 2070¹⁰.
- 30 To further align with Waikato 2070, the Structure Plan should also indicate the industrial areas to the north of the APL site where growth is planned to occur at Ohinewai in future. This will ensure development is undertaken in the meantime in a manner which recognises those possibilities and does not preclude them.
- 31 OLL also considers that the Ohinewai Structure Plan should identify the Ohinewai Reserve which is immediately opposite the proposed

⁸ Land Use – Effects rule 16.6.3 RD8 as set out in Attachment B3 of the evidence of John Olliver for Ambury Properties Limited.

⁹ Subdivision Rule 16.6.5 RD7 as set out in Attachment B3 of the evidence of John Olliver for Ambury Properties Limited.

¹⁰ As shown in Figure 4 of the Section 32AA Report on behalf of OLL dated 5 December 2019.

business area on the APL site and which is zoned Reserve in the pWDP.

- 32 The Ohinewai Reserve is an area of 33.5 hectares and is subject to a Waikato District Council Reserve Management Plan (dated November 2018) which anticipates the installation of an access road, car parking and walkways to the lake and swamp by the Waikato District Council. The shores of Lake Ohinewai, which borders both the Site and the Ohinewai Reserve, have also been subject to significant restoration works.
- 33 Including the Ohinewai Reserve in the Structure Plan will ensure that the Reserve is appropriately incorporated into the APL and OLL developments going forwards.

Consultation

- 34 As part of its investigation into future rezoning of the Site, OLL has engaged in consultation with a number of entities.
- 35 OLL has continued to engage with APL and its various consultants throughout the pWDP process and continues to be interested in providing inputs into structure planning processes and other strategic planning initiatives for the Ohinewai area.
- 36 OLL has also engaged with Watercare to ensure appropriate infrastructure can be provided to service the OLL site in the future. Watercare are aware of OLL's intentions and are considering suitable servicing options for Ohinewai based on the growth direction established in Waikato 2070.
- 37 OLL's intention is to undertake further consultation with other stakeholders in future at the appropriate time when processes to rezone its land are advanced. This would include consultation with mana whenua.

Conclusion

- 38 Overall OLL supports the proposed development of APL's site for industrial, commercial and residential land uses at Ohinewai to the extent that it accords with the vision in Waikato 2070.

- 38.1 The Directors of OLL have been involved with the Ohinewai area for many years and wish to see a comprehensive and integrated structure planning process undertaken for the wider area, not just the APL site.
- 39 OLL seeks that the provisions of the pWDP do not preclude the growth options identified for Ohinewai in Waikato 2070, including future rezoning of the Site for residential purposes. OLL considers that this can be achieved with minor amendments to the Structure Plan and proposed provisions put forward by APL in respect to access, Tahuna Road interface and the Ohinewai Structure Plan.

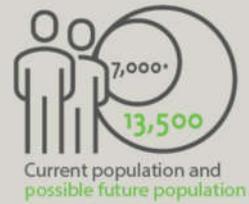
Tony McLauchlan

21 August 2020

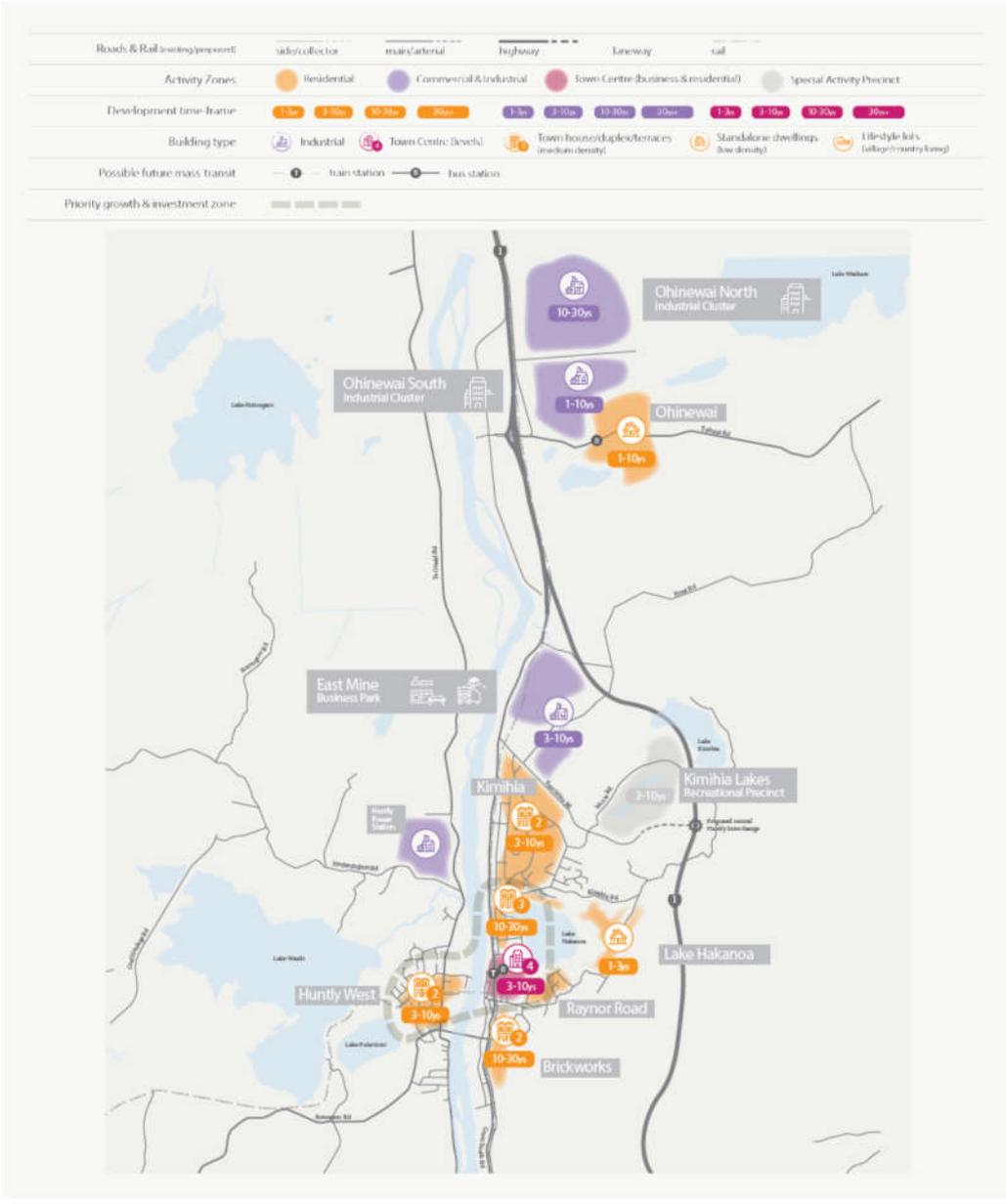
Attachment 1: Huntly and Ohinewai Development Plan in the Waikato 2070 Strategy

04.7

HUNTLY & OHINEWAI DEVELOPMENT PLAN 50-YEARS

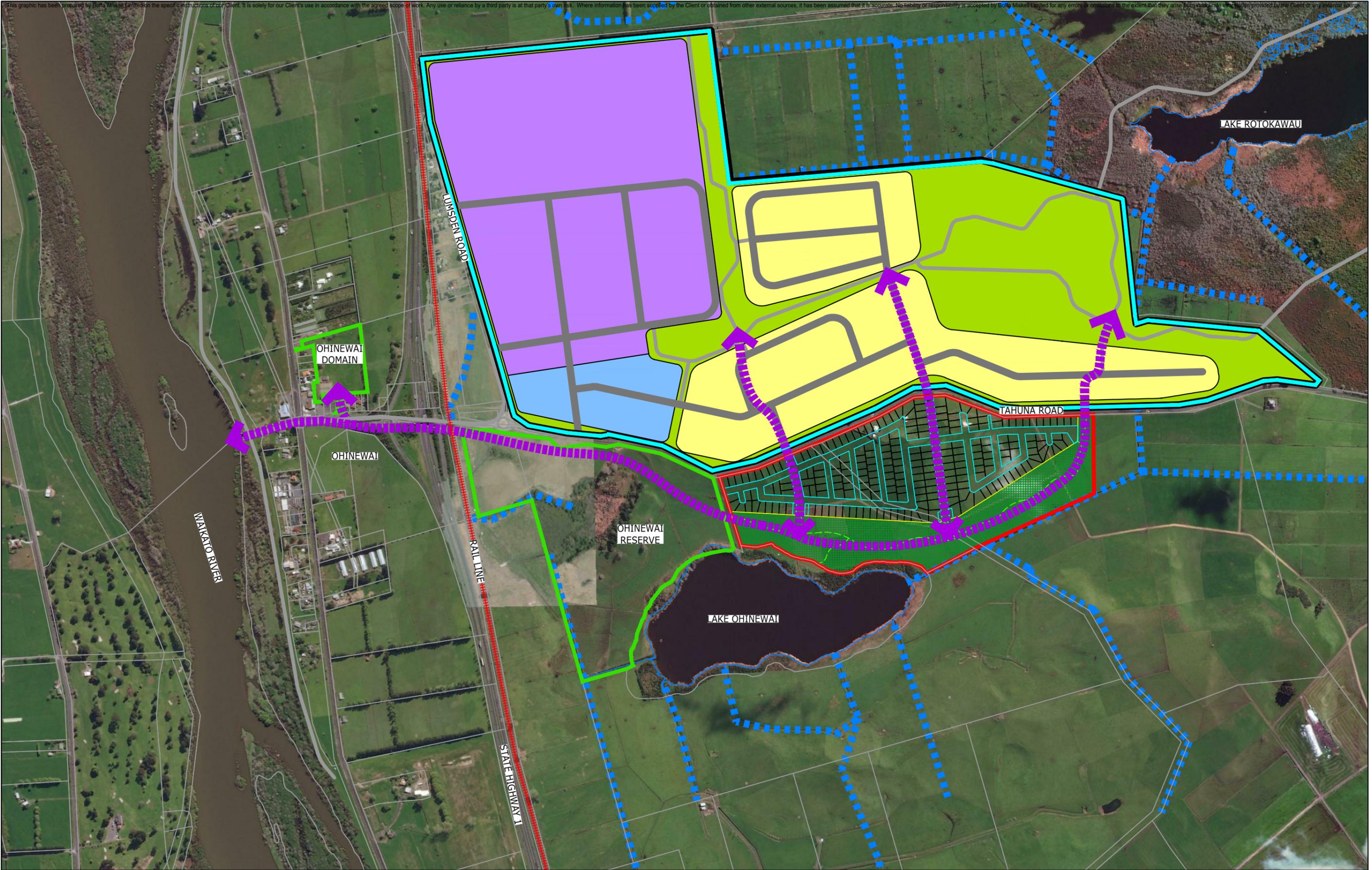


LOCATION: HUNTLY IS LOCATED ON THE BANKS OF THE WAIKATO RIVER, AT AN INTERCHANGE OF SH1, AND ON THE RAIL LINE BETWEEN OHINEWAI AND TAUPIRI. THE COMMERCIAL, INDUSTRIAL AND RESIDENTIAL AREAS OF THE TOWN ARE BISECTED BY THE RIVER, SH1, AND THE RAILWAY.



*BASED ON STATS NZ 2018 ESTIMATES

Attachment 2: OLL Masterplan from the Urban Design, Landscape and Visual Assessment produced by Boffa Miskell



ORIGINAL IN COLOUR



Boffa Miskell Limited
Level 3
82 Wyndham Street 1010
PO Box 91250, Auckland 1142, New Zealand
Tel: +64 9 358 2526
www.boffamiskell.co.nz

NOTES

CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK;
CONTRACTORS ARE RESPONSIBLE FOR CONFIRMING THE LOCATION OF ALL UNDERGROUND SERVICES ON SITE PRIOR TO COMMENCING WORK;
FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

KEY

- Existing reserve
- Open space connection
- OLL site boundary
- Ambury site boundary
- Existing drain
- Proposed open space
- Ambury industrial zone
- Ambury open space zone
- Ambury residential zone
- Ambury business zone

REV	DATE	DESCRIPTION
A	21.11.19	Preliminary Issue
###	###	###
###	###	###
###	###	###

DRAFT

CLIENT	Ohinewai Lands Limited
CONSULTANTS	Oliver May Rachel de Lambert
STATUS	DRAFT

BM19864 Ohinewai Masterplanning

Open Space Connection Plan

Design	OMa	Scale	1:7500	Date	21.11.19
Drawn	OMa	Check	RdL	1:15000	

DRAWING NO.	REVISION
BM19864_10	(A)

U:\2019\BM19864_RdL_Ohinewai_Masterplanning\CAD\AutoCAD\Layout_Sketch_Masterplan_BML_20191104.dwg

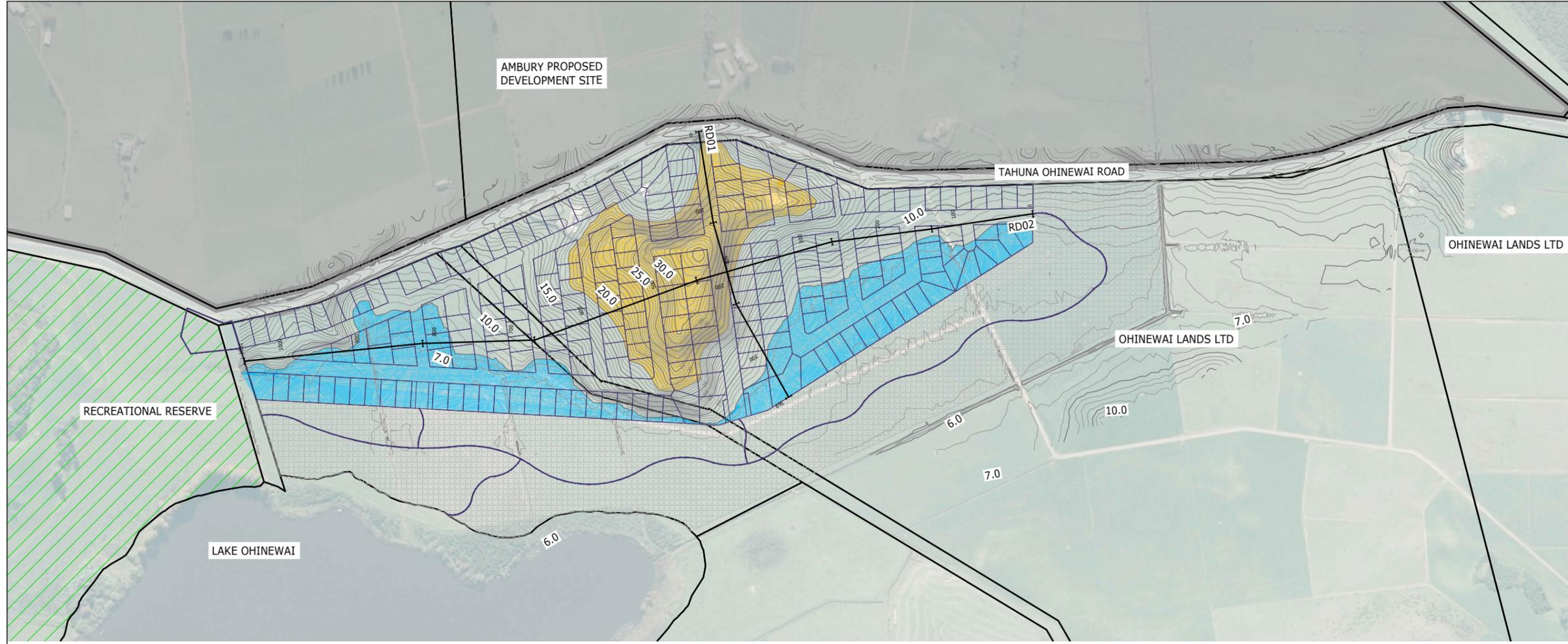
Attachment 3: Ohinewai Future Development Area Cut Fill Plan from the Infrastructure Services Assessment by Harrison Grierson

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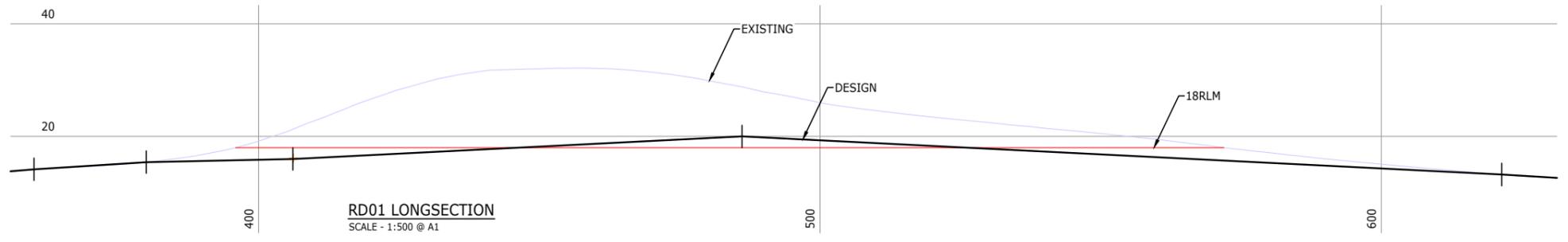
- NOTES**
- VOLUMES NOT BASED ON DESIGN LEVELS.
 - CUT VOLUME IS EXISTING TO 18RLM, THE AVERAGE DEPTH OF CUT/FILL AS SHOWN ON SECTIONS.
 - FILL VOLUME IS EXISTING UP TO 8RLM.

LEGEND

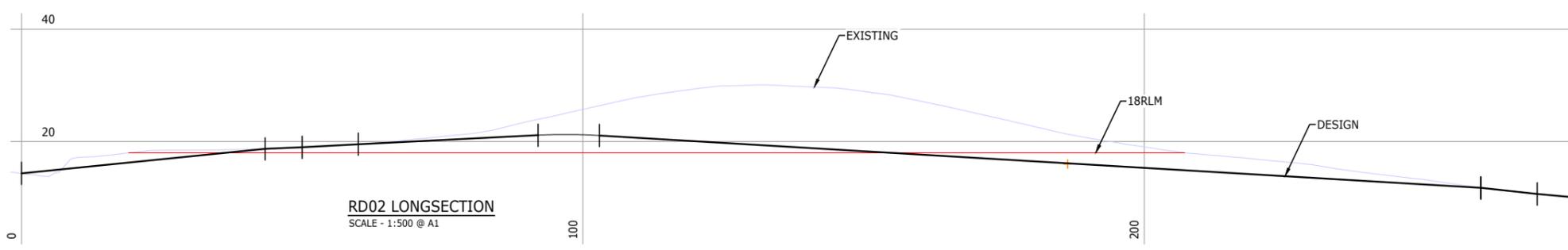
- AMBURY SITE
- FILL TO 8RLM- 55000m³
- CUT TO 18RLM- 260000m³
- PROPERTY BOUNDARY



PLAN
SCALE - 1:3000 @ A1



RD01 LONGSECTION
SCALE - 1:500 @ A1



RD02 LONGSECTION
SCALE - 1:500 @ A1

HG HAMILTON OFFICE
 LEVEL 2, 678 VICTORIA STREET
 HAMILTON 3204
 T +64 9 949 7000
 W www.harrisongrierson.com

1	FOR INFORMATION	MBT
REF	REVISIONS	BY DATE

PROJECT: **OHINEWAI LANDS LTD**

TITLE: **OHINEWAI FUTURE DEVELOPMENT AREA CUT FILL PLAN**

ORIGINATOR:	DATE:	SIGNED:	PLOT BY:	MBT
DRAWN:	DATE: 29.10.19	SIGNED: M.TORCKLER	PLOT DATE:	31.10.19
CHECKED:	DATE: 29.10.19	SIGNED: S.KING	SURVEY BY:	
APPROVED:	DATE:	SIGNED:	SURVEY DATE:	

ISSUE STATUS: **FOR INFORMATION**

PROJECT No:	1620-144739-01	SCALES:	1:3000 - A1 1:6000 - A3	A1
DRAWING No:	144739-02-004	REV	1	

FOR INFORMATION