

Before an Independent Hearings Panel

The Proposed Waikato District Plan (Stage 1)

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

IN THE MATTER OF hearing submissions and further submissions on the Proposed
Waikato District Plan (Stage 1):

Topic 25 – Zone Extents

**SUPPLEMENTARY EVIDENCE
MARK SEYMOUR MANNERS TOLLEMACHE ON BEHALF OF HAVELOCK VILLAGE
LIMITED
(PLANNING)**

28 July 2021

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1. INTRODUCTION AND SCOPE OF EVIDENCE

- 1.1 My full name is Mark Seymour Manners Tollemache. I am a town planner.
- 1.2 I have provided primary and rebuttal evidence in support of the Havelock rezoning proposal.
- 1.3 On 11 June 2021 Ms Nairn and Mr Chhima provided late supplementary evidence on behalf of Hynds Pipe Systems Ltd and The Hynds Foundation (**Hynds**). This included cross sections illustrating purported lines of sight from the Havelock residential area prepared by The Survey Company Ltd.
- 1.4 At the reconvened hearing on 1 July 2021 the Panel gave Havelock Village Ltd (**Havelock**) leave to file supplementary evidence to respond to that evidence and to present updated and accurate cross sections.
- 1.5 This evidence addresses the following matters:
 - (a) Accurate line of sight cross sections prepared by Havelock and the effectiveness of the proposed Environmental Protection Area vegetation as a screening mechanism to the industrial areas;
 - (b) Errors and inaccuracies in the lines of sight cross sections prepared by Hynds;
 - (c) Implications of those inaccuracies in terms of potential for overlooking;
 - (d) Errors in Mr Cook's supplementary lighting evidence for Hynds.

2. ACCURATE CROSS SECTIONS PREPARED BY HAVELOCK

- 2.1 During the hearing on 1 July 2021, I presented and spoke to two cross-sections prepared by Havelock, which show accurate line of sight cross sections as between the Havelock residential sites and the industrial area. These cross sections also show the screening effect of the proposed vegetation to be established within the Environmental Protection Areas on the site in terms of views to the industrial area.
- 2.2 I attach the two cross sections discussed at the hearing and two additional cross sections as Appendix A to this supplementary evidence. The cross sections have been prepared by Mr Pitkethley in consultation with myself and other experts.

3. ERRORS AND INACCURACIES WITH CROSS SECTIONS IN CROSS SECTIONS PREPARED BY HYNDS

- 3.1 The cross sections prepared by The Survey Company Ltd are exaggerated 2 times vertically which is unnecessary as the change in elevation is large. This exaggerates the proximity of the Havelock proposal to the industry zones. The cross sections prepared by Mr Pitkethley do not include this vertical exaggeration and are at a natural vertical scale (1 Horizontal unit =1 Vertical unit).
- 3.2 The location of the 45 dba noise contour (Pokeno Industry Buffer) has been identified by The Survey Company Ltd in incorrect locations, with a difference of up to 60m compared to the Havelock Precinct Plan.
- 3.3 The cross sections prepared by The Survey Company Ltd do not identify the effect of screening by vegetation being planted in the Environmental Protection Area. They also do not accurately identify the viewing height from the ground floor of a dwelling or from outdoor living space would be 1.5m above finished ground level.
- 3.4 The Survey Company Ltd cross sections emphasise sight lines from the first storey of dwellings. In my opinion it is more likely that the first storey of dwellings is utilised as bedrooms and kitchen, dining and living spaces are located to adjoining ground floor outdoor living spaces.
- 3.5 The Survey Company Ltd cross sections also place an emphasis on the tallest buildings in the industrial zones - 20 and 30m. While these taller heights are contemplated by the District Plan I do not consider it feasible that 20 and 30m buildings would occupy the majority of a site in the industry zones.
- 3.6 The Survey Company Ltd cross sections and contours are taken from the Waikato District Council GIS (not lidar), so are coarse. Mr Pitkethley has utilised drone survey information within the HVL site and these contours are therefore more accurate in terms of the data utilised.
- 3.7 The differences in The Survey Company Ltd levels vary from those prepared by Mr Pitkethley. The Survey Company Ltd cross sections only consider the existing contours and do not consider the proposed earthworks and finished contours that would establish the roads identified within the Precinct Plan. For example, for cross sections B and C the fill batter required for the road construction would screen many views from the ground floor of adjoining dwellings to the road.

3.8 Cross sections B and C prepared by The Survey Company Ltd are within 5m of the cross sections prepared by Mr Pitkethley so are comparable. Cross sections E and G prepared by The Survey Company Ltd have an at least 10m difference between with Mr Pitkethley's cross sections, so are different and not comparable. Overall, the differences result in the cross sections being less accurate.

4. IMPLICATIONS FOR OVERLOOKING OF INDUSTRIAL LAND

4.1 As I discussed at the hearing, the inaccuracies in the cross sections prepared by Hynds and the failure to show the screening provided by the vegetation to be established on site, give an inaccurate and exaggerated impression of the number of future residents of Havelock who will overlook the adjacent industrial land and buildings.

4.2 The vegetation and future land form will mean that very few residents will be able to see the industrial land and buildings from their main living areas, which are typically located on the ground floor of buildings. In a few, very limited circumstances there may be views of very tall buildings (if they were established) from the first floor of buildings. I consider this will be a very small number of future residents and significantly less than alleged by Hynds and its experts.

5. ERRORS AND INACCURACIES WITH MR COOK'S LIGHTING PHOTOGRAPHS

5.1 On 11 June 2021 Mr Cook provided supplementary evidence on behalf of Hynds. This included a rebuttal to matters raised in legal submissions on behalf of Havelock. Included in the supplementary evidence were additional photographs purported to be from the residential development areas in the Havelock Precinct. These photographs were not accurate or taken from Area 1 or Area 2, or the locations where Mr King undertook light spill and glare measurements.

Mark Tollemache

Town Planner

APPENDIX 1 – UPDATED CROSS SECTIONS

