

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

**HIGHLIGHTS PACKAGE
IAN COLIN MUNRO ON BEHALF OF HAVELOCK VILLAGE LIMITED
(URBAN DESIGN)**

12 May 2021

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1. SUMMARY OF EVIDENCE

- 1.1 My full name is Ian Colin Munro. I am an urban designer and planner.
- 1.2 I provided urban design evidence in relation to the proposed rezoning sought by Havelock Village Ltd (“**HVL**”)¹ of the land at 5 Yashili Road, 88 Bluff Road, 242 (in part) and 278 Bluff Road, Pokeno (“**Site**”). I provided primary evidence on 17 February 2021, and a rebuttal evidence statement on 3 May 2021.
- 1.3 I have visited the Site on numerous occasions since my engagement in 2019. I was not involved in the preparation of the submission or further submission, and have had no other involvement in the Proposed District Plan (“**PDP**”) process generally.

Primary evidence

- 1.4 I have reviewed the urban design merits of the submission on the basis of relevant District and Regional planning directives (objectives and policies) identified with the assistance of Mr Mark Tollemache². I have assessed the submission in terms of the logic and merit of re-zoning the Site at the Pokeno-wide scale, as well as in terms of the Site and its immediate neighbours at the detailed level. This includes the matters identified by Dr Davey in his s42A report as a “third lens”³.
- 1.5 I did not support the full extent of urban development signalled by the concept plan produced by Construkt Architects Ltd that accompanied the original submission. Following an approximately 9-month period of further assessment in 2020, and with specific technical traffic, ecology, landscape, acoustic, civil engineering, and geotechnical input, a refined re-zoning proposal (“**refined proposal**”) has been arrived at that is in my opinion appropriate and which will contribute effectively to accommodating growth in Pokeno.
- 1.6 The essence of the refined proposal is that it would enable well-connected residential development on the upper ‘hill’ part of the Site close to Pokeno and where there would be an ability to create a neighbourhood that looked and functioned as a part of Pokeno. On the Site’s lower ‘tail’ area, a bespoke rural lifestyle cluster area, and substantial bush protection and enhancement, reflects that this cannot be as conveniently connected with Pokeno as the ‘hill’ area, and does sit in a more characteristically rural visual catchment.

¹ Submitter 862 and further submitter 1291.

² These are contained in Section 6 and in particular 6A of the RPS, and Chapter 4 of the PDP (Council rebuttal version, Hearing Topic 10 was used).

³ S.42A report of Dr. Mark Davey, Hearing 25 Zone Extents, 19 January 2021.

1.7 Having considered Chapter 4 of the PDP and the Section 6 of the Regional Policy Statement (“**RPS**”), and also the outcomes sought by the National Policy Statement on Urban Development 2020 (“**NPS: UD**”), I consider that in urban design terms the refined proposal is the most appropriate solution for the land because:

- (a) Pokeno has expanded in a predictable manner to date across the flat land that was contiguous with the settlement. That land has been or is almost at the point of exhaustion, and development is also now established on the eastern side of State Highway 1 in a manner that I regard as quite fragmented from Pokeno.
- (b) The Site will offer a relatively convenient and close connection with the Pokeno main street (as an indicator of the ‘heart’ of the town), and is in my opinion a suitable growth option when considered in the context of other identified 1-10-year residential growth areas for Pokeno (within the Waikato 2070 Growth Strategy). This is on the basis of its proximity and (potential) connectivity with Pokeno, the land’s capability to accommodate urban residential development as described within the objectives and policies of the PDP, and my own work preparing a concept plan testing how a future neighbourhood would likely ‘look and feel’.
- (c) The Site can accommodate development that retains the existing green hill backdrop to the settlement, provide for its own open spaces and reserves, and accommodate a logically-positioned, small neighbourhood centre to help residents meet daily needs.
- (d) The refined proposal is based on a site-specific response that works with, and is subordinate to, natural landform features, and will provide housing choice to Pokeno including in terms of the lifestyle of being elevated rather than within the basin. A specific environmental enhancement framework has been proposed in the Site’s lower ‘tail’ area based on rural lifestyle clustering that will also help secure a local-road means of connecting Pokeno to the Waikato River. I regard this as being positive in urban design terms.
- (e) Potential reverse sensitivity effects with the existing industrial activities and zone immediately north of the Site can be properly managed and in a way that will be more compatible than many residential / industrial zone interfaces I am familiar with. Adverse urban design effects generally will be consistent with, or less than, what is typical across the country as small settlements grow in ways that at times lead to creation of new development areas including at times

development extending into hill country surrounding an original basin (such as can be seen across Queenstown, Wanaka, and Mangawhai).

- (f) For all of the above reasons, I consider the refined proposal will contribute to a well-functioning urban environment as envisaged by the NPS: UD, particularly in terms of policy clauses 1(a), 1(c), and 1(e); 6(b) and 6(c).
- (g) I consider the refined proposal will help to 'round out' the town to the south and help retain as much spatial centrality as possible to the town centre, by way of a counter-balance to ongoing expansion north, west and east.

Response to s42A report and expert evidence of submitters

- 1.8 Except as set out below, I agree with Mr David Mead (s42A report on behalf of the Council) that the revised relief sought by HVL and as explained in its evidence should be granted. I do not agree with the concerns identified by Ms Rachel de Lambert on behalf of Hynds Pipes Systems Ltd and Pokeno Village Holdings Ltd.

Limiting development below RL100

- 1.9 I disagree with Ms Rachel de Lambert⁴ that restricting residential development so as to remain below an elevation of RL100 is a properly justified or relevant outcome in urban design terms. In my opinion it would substantially undermine achievement of the compact settlement approach sought by the NPS: UD, RPS and PDP, which is in my view the resource management outcome to be afforded principal weighting.
- 1.10 In my opinion, if the RL100 barrier was a relevant resource management outcome, in urban design / urban form terms, the Council would have included it within the Operative Waikato District Plan ("**OWDP**") at the time the 2008-2009 Pokeno Structure Plan was prepared and rolled-into the OWDP through Plan Change 24. The alternative would have been to identify these landforms as an Outstanding Natural Landscape or Outstanding Natural Feature, which I understand neither the RPS, OWDP or PDP has done or sought to do, respectively. Specific reasons for my disagreement are set out in section 4 of my rebuttal evidence, 3 May 2021.

⁴ Evidence of Rachel Virginia de Lambert, 17 March 2021, paragraphs 5.1 – 5.11.

Reverse sensitivity effects – visual amenity between industrial and residential activities

- 1.11 I disagree with Mr Mead⁵ and Ms de Lambert⁶ that there is a reverse sensitivity effect (visual amenity) likely to result from occupants of new dwellings being able to see industrial development within an industrial zone.⁷
- 1.12 In my opinion Mr Mead's and Ms de Lambert's preference for spacious separation buffers between different land uses for visual amenity reasons (distinct from physical health and safety reasons such as noise or hazardous emissions), and beyond those already proposed by HVL, sits in tension with the reality of higher-density, compact and walkable settlements sought by the NPS: UD, RPS, and PDP. These are by their nature 'mixed-use', and will expose people to a variety of different shapes, types and designs of buildings and activities; in such configurations people will not always find the buildings and activities they look at beautiful or to their liking. I do not consider this practical fact-of-life to be an inherent adverse effect (reverse sensitivity or otherwise) in need of management.

HVL hilltop park

- 1.13 Mr Mead has expressed a preference that a proposed hilltop park on the HVL land should be visually protected from new dwellings crowding the ridge so as to retain a landmark-type role.⁸ The final shape, form and extent of the park would be the subject of Council approval at the time of subdivision consent (in the capacities of both an RMA consent authority and, more influentially, a future asset owner).
- 1.14 In the interests of seeking to narrow the point of difference I have worked with the HVL expert witness team and have identified an additional method for the HVL land that would in my opinion address Mr Mead's concern. This is explained fully in Mr Mark Tollemache's rebuttal evidence but is in summary a rule requiring any dwellings built within 50m of the outer edge of the hilltop park to be limited to a maximum height of 5m, and have a 9m yard setback from the hilltop park. Having considered the topography of the Site, I consider that this method would ensure that any future dwellings would be visually well-separated from and below the top (and majority) of the hilltop park by the order of 20m+ elevation. This would avoid or substantially mitigate

⁵ Evidence of David William Arthur Mead, 14 April 2021, paragraphs 318 – 331.

⁶ Evidence of Rachel Virginia de Lambert, op. cit., paragraphs 5.12 – 5.21.

⁷ This is distinguishable from potential reverse sensitivity effects relating to noise, emissions, or odour.

⁸ Evidence of David William Arthur Mead, op. cit., paragraph 375.

the adverse visual amenity effects of concern to Mr Mead. My specific analysis and reasons for this conclusion are at section 6 of my rebuttal evidence, 3 May 2021.

Rebuttal evidence of Mr David Mead, dated 10 May 2021

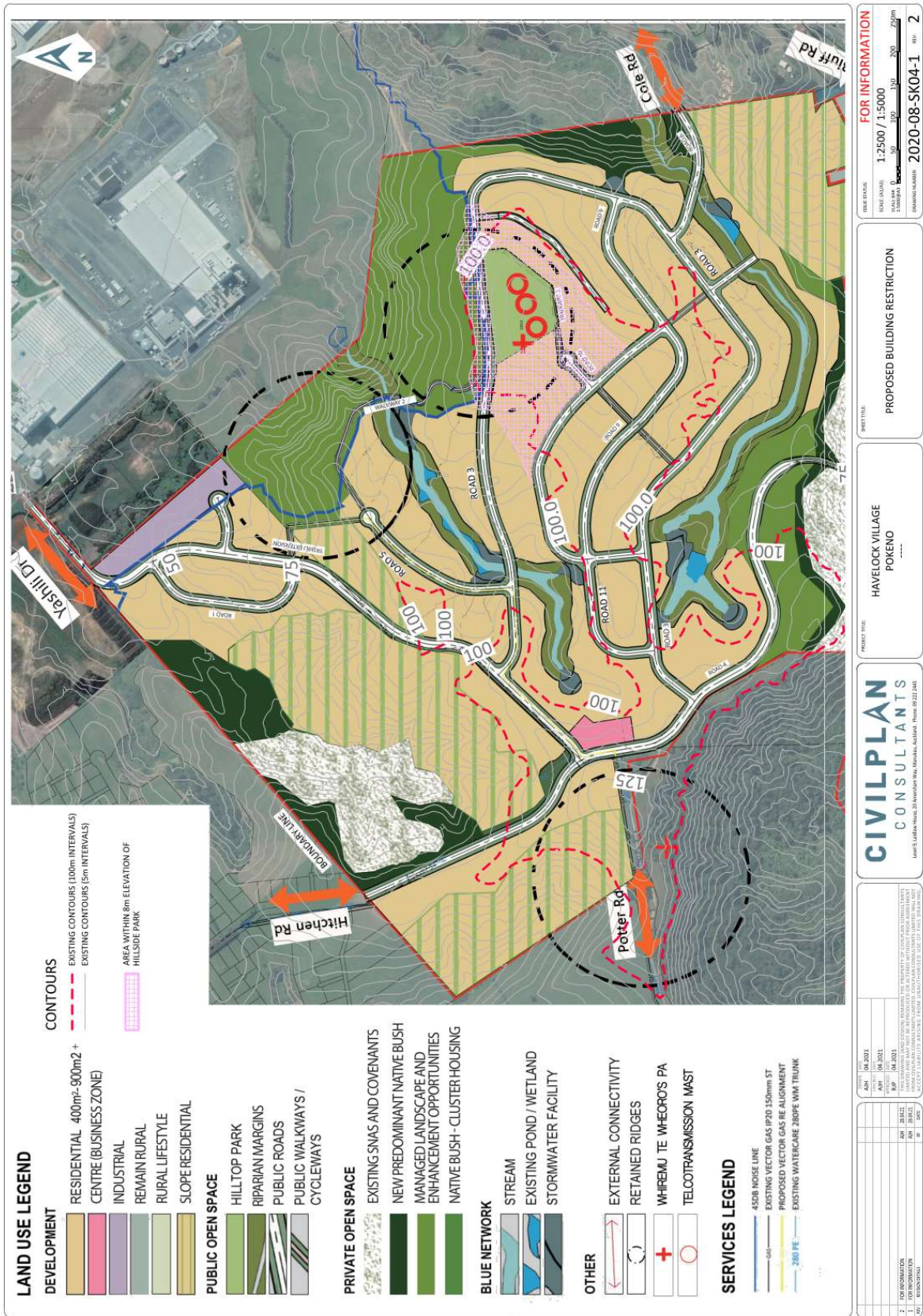
- 1.15 Mr Mead clarified⁹ that he does not regard residential dwellings having views of industrial buildings as relating to any adverse effects of concern, but lighting or views of emissions remain problematic. This has justified an increased spatial buffer in his view. I disagree that there is any basis for this concern in urban design terms.
- 1.16 I disagree that views of emissions and the likelihood of any associated adverse reverse sensitivity effects will have any material relationship with the buffer Mr Mead has identified, compared with development beyond that buffer. In my opinion views of emissions from the industrial zone will be widely visible across Pokeno, including from the existing development north of the zone such as Mr Mead has included as Figure 5 in his rebuttal evidence. I remain unable to identify an adverse effect that may be created within the buffer area of interest to Mr Mead and the remainder of Pokeno where views of industrial zone emissions may be possible.
- 1.17 In terms of lighting effects, my analysis as set out in my rebuttal evidence was that standard-height residential boundary fencing and landscaping would be sufficient to fully screen industrial buildings to the zone height limits from within the proposed HVL residential zone. This would include any lighting attached to such buildings. This would avoid views of any direct bulbs or light sources that might be invasive, and on that basis I continue to disagree that Mr Mead's concern has substance. I also refer to my analysis of other sources of lighting in the urban environment that exist and are common. In summary, residents within settlements at night time are exposed to a number of light sources and background lighting 'glow'. This is not in my opinion an inherent adverse effect on residential amenity within those areas.

Ian Munro

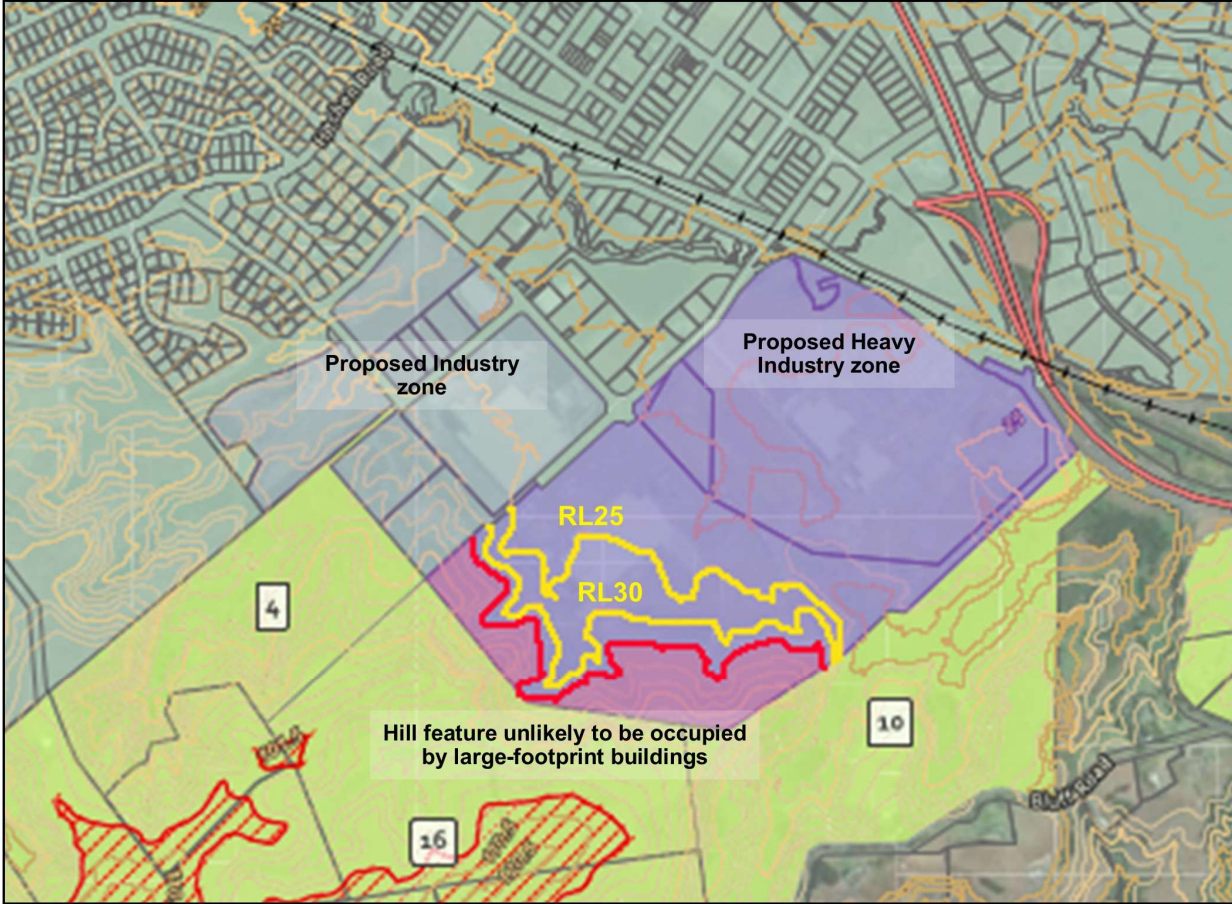
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⁹ Rebuttal evidence of David William Arthur Mead, 10 May 2021, paragraph 46.

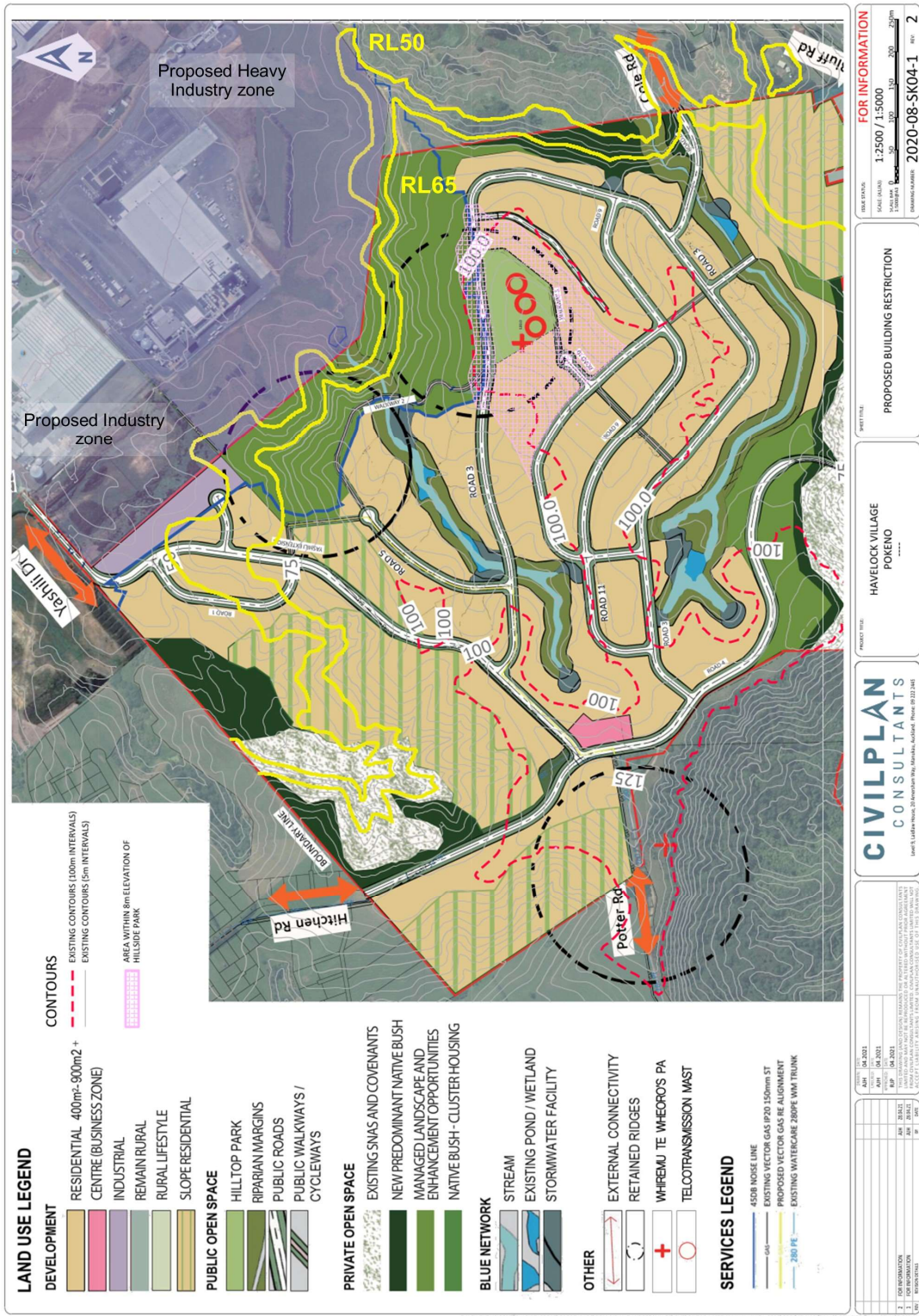
ATTACHMENT 1 – RL100 AND 8M CONTOUR AROUND THE INDICATIVE HILLTOP PARK OVERLAIN ON THE HVL PROPOSAL, SOURCE: CIVILPLAN LTD.



ATTACHMENT 2 – ELEVATION OF PROPOSED INDUSTRIAL AND HEAVY INDUSTRIAL ZONED LAND ADJACENT TO HVL LAND (SOURCE: FIGURE 5, EVIDENCE OF RACHEL DE LAMBERT ON BEHALF OF HYNDS PIPES SYSTEMS LTD AND POKENO VILLAGE HOLDINGS LTD), NO SCALE.



ATTACHMENT 3 – RL50 AND RL65 ON THE HVL LAND. RL50 IS SUFFICIENT FOR BUILDINGS ABOVE THAT TO SIT HIGHER THAN THE MAXIMUM HEIGHT OF GENERAL BUILDINGS IN THE INDUSTRIAL ZONES; RL65 IS SUFFICIENT TO ALSO SIT HIGHER THAN THE MAXIMUM HEIGHT OF STACKS OR COOLING TOWERS IN THE HEAVY INDUSTRY ZONE.



ATTACHMENT 4 – SEPARATION DISTANCES BETWEEN THE PROPOSED HVL RESIDENTIAL ZONE AND PROPOSED HEAVY INDUSTRY ZONE, AND EXISTING BUILDINGS WITHIN THAT (IMAGE SOURCE: CROPPED VERSION OF ATTACHMENT 1, NO SCALE)

