

**Before the Hearings Panel**

**In the Matter** of the Resource Management Act 1991 (**Act**)

**and**

**In the Matter** Hearing 25: Rezoning

**Submitter** Ohinewai Lands Limited

Submitter [No.428]

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**Statement of Primary Evidence of Matthew William Twose on behalf of Ohinewai  
Lands Limited**

**(Planning)**

**Dated 17 February 2021**

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## INTRODUCTION

1. My full name is Matthew William Twose and I am a Technical Director – Planning at Harrison Grierson Limited. I am based in Auckland, and work across the country on planning and resource management projects for a range of public and private sector clients.
2. I hold the qualifications of Bachelor of Laws from the University of Otago and Master of Planning Practice (hons) from the University of Auckland. I am a full member of the New Zealand Planning Institute. I have over 20 years' experience in planning and resource management, working in both the resource consent and policy development fields. In this time, I have held a range of senior planning and planning management roles with local authorities in the Auckland region, and prior to joining Harrison Grierson in October 2020, I was the Head of Planning and Consents at Panuku Development Auckland, a Council Controlled Organisation (CCO) in Auckland.
3. Of particular relevance to Hearing Topic 25, I previously held a role as the Manager Regional Policy Statement at the Auckland Regional Council from 2007 to 2010 where I was responsible for developing the second generation of the Auckland Regional Policy Statement (ARPS). I also worked on the preparation of changes to the operative ARPS, principally to incorporate urban growth areas identified in the Auckland Regional Growth Strategy (ARGS) and to implement the Local Government (Auckland) Amendment Act 2004 into the region's ARPS and city and district plans. Following the establishment of Auckland Council in 2010 I led the council team on the continuance of this work. My other role as part of the team developing the Auckland Unitary Plan (AUP) was to pass on the draft proposed ARPS and its supporting Section 32 information for integration in the new plan. I also worked on the drafting of new growth management planning provisions for inclusion into the AUP.



4. I have been provided a copy of the Environment Court's code of conduct for expert witnesses. I have reviewed that document and confirm that this evidence has been prepared in accordance with it and that all opinions that I offer in this evidence are within my expertise. I have not omitted to refer to any relevant document or evidence except as expressly stated.

#### **BACKGROUND AND SCOPE OF EVIDENCE**

5. I have been engaged by Ohinewai Lands Limited (OLL) which made a submission seeking the inclusion of a growth area in the Ohinewai area in accordance with the plan attached to its submission (Submission No. 428.1). This plan was further detailed by OLL in an addendum to its submission entitled 'Ohinewai Land Submission Area of Interest'. I have referenced the growth area sought by OLL as the 'OLL proposal'.
6. The OLL submission is one of several relating to the Ohinewai area. On 14 September 2020 the Hearing Panel heard submissions relating to the rezoning of Ohinewai as part of Hearing 19 (Ohinewai). These included the submission from OLL referred to above and the submission from Ambury Properties Limited (Ambury) which seeks to rezone 176 hectares in Ohinewai (Ambury land) to a combination of Industrial, Business and Residential zonings. Hearing 19 was to originally be part of Hearing 25, however at the request of Ambury it was separated out and fast-tracked into its own timetable. At the time of writing, the Hearing 19 decision is pending.
7. The Ohinewai hearing was held prior to release of the Hearing 25 Zone Extents – Future Urban Zone and Residential Medium Density Zone Report on 26 January 2021 which recommends for the first time the introduction of a new Future Urban Zone (FUZ) into the Proposed Waikato District Plan (PWDP). FUZs were not notified as part of the

PWDP and the concept of a FUZ was only raised directly in a very small number of primary submissions.

8. The scope of my evidence is limited to the question of whether the growth area identified in the OLL submission is appropriate for inclusion in the PWDP as a FUZ.
9. Noting the 12 May 2020 Hearing Panel's directions to submitters, I have structured my evidence in accordance with the recommended approaches in the Hearing 25: Zone Extents Framework Report. In particular, I have followed the three-lens approach. On this basis, my evidence addresses the following:
  - a) Lens 1 - an analysis of the OLL proposal against the intent of the PWDP.
  - b) Lens 2 - an analysis for consistency against higher order policy documents.
  - c) Lens 3 - an assessment of the extent to which the OLL proposal meets good planning practice approaches to zoning.
10. In simple terms, the extension of existing urban land areas or the creation of new, standalone urban areas involves a two-part analysis. The first is a strategic question – should the land be urbanised? This involves a consideration of a council's urban growth management strategies and a high-level consideration at a policy level of the constraints and opportunities associated with the proposed urbanisation. Assuming the answer to the first question is yes, then the second question is how will the land be urbanised? Lenses 1 and 2 serve to assess a response to the first question and Lens 3 addresses the second question.
11. In preparing my evidence I have read the following:

- a) The Section 42a Report for Hearing 25 Zone Extents: Framework Report on behalf of Waikato District Council by Dr Mark Davey and dated 19 January 2021 (Framework Report).
- b) The Section 42a Report for Hearing 25 Zone Extents: Future Urban Zone and Residential Medium Density Zone on behalf of Waikato District Council by Johnathan Cleese dated 26 January 2021 (FUZ Report).
- c) Waikato 2070, Waikato District Council Growth & Economic Development Strategy (Waikato 2070).
- d) Future Proof 2017.
- e) Hamilton to Auckland Corridor Plan 2020.
- f) National Policy Statement Urban Development 2020 (NPS-UD 2020).
- g) Operative Waikato Regional Policy Statement 2016 (WRPS).
- h) Proposed Waikato District Plan 2018 (PWDP).
- i) Hearing 19 Ohinewai: Joint Witness Statement.
- j) Hearing 19: section 42A Ohinewai Rezoning Requests Report.
- k) Hearing 19 statements of Evidence: OLL and Ambury witnesses.
- l) Section 32AA Report by Harrison Grierson on behalf of Ohinewai Lands Limited, dated 5 December 2019 (Section 32AA report).

### **Submission overview**

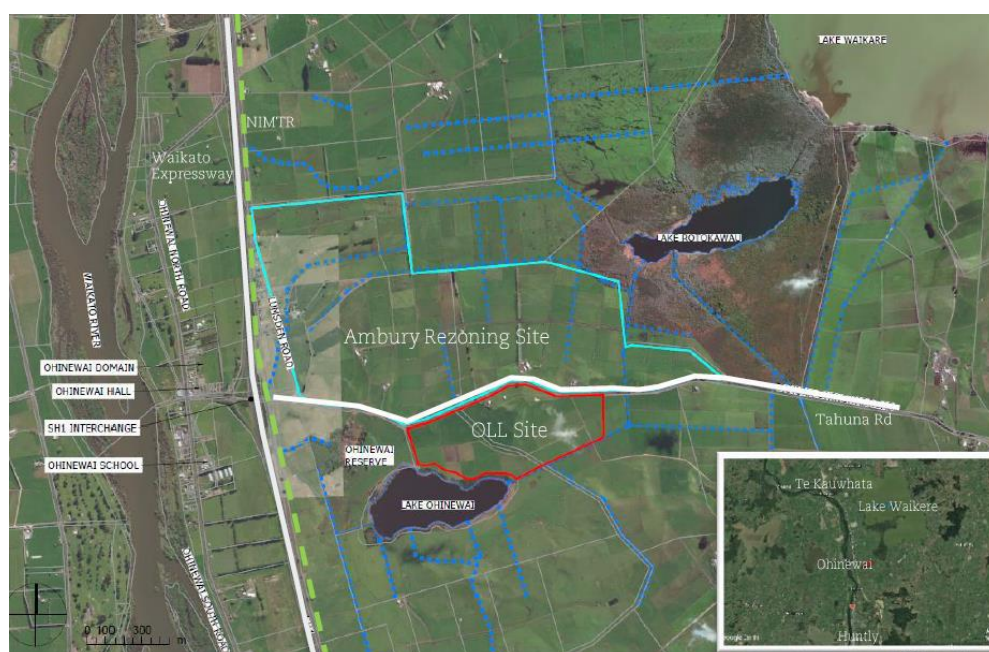
- 12. I was not involved in preparing the submissions made by the submitters, but I am very familiar with the PWDP, WRPS, the Waikato growth strategies referenced above, the OLL proposal, and more

generally, the practice of drafting and implementing urban growth policies under the RMA.

### **LENS 1: ANALYSIS OF THE OLL PROPOSAL AGAINST THE INTENT OF THE PWDP**

13. The OLL proposal rests on two contingent matters:
  - a) First, the decision on Hearing 19 with regard to the Ambury Submission. If the proposal to urbanise the Ambury land is not accepted, then the planning rationale for an urban area on the OLL land falls away.
  - b) Second, if the Ambury land is accepted the question then turns to whether it is appropriate to also consider the OLL land for urbanisation and, if so, by which planning tool this will be implemented.
14. In my view, the principal planning tool to achieve this is the FUZ which, at this stage, is a staff recommendation in the Section 42A reporting. The second contingent matter therefore is an assumption the Hearing Panel will accept and adopt the staff recommendations regarding the introduction of the FUZ provisions.
15. My evidence is predicated on the first contingent matter being answered in the affirmative. In terms of the second contingent matter, there are limited alternatives to a FUZ other than identification of the OLL land areas as part of a structure plan process. In my opinion, establishing a new set of FUZ provisions is essential for the PWDP to give effect to the NPS-UD 2020. On this basis, my evidence is also predicated on the FUZ provisions being adopted as a planning tool for inclusion in the PWDP.
16. The OLL submission seeks to include as future urban land two areas of land. The first area is located to the south of the Ambury Landholdings

and totals 39 hectares of land. OLL considers that 26 hectares of land may be appropriate for residential activity in future, with the remaining 16 hectares retained as public open space. The second land area is identified by OLL as being appropriate for future industrial land and is located to the north of the industrial land area identified in the Ambury submission. Both land areas are further detailed in Mr McLauchlan's evidence for Hearing 19<sup>1</sup> and I have attached below two maps identifying their location. The first map (**Figure 1**) shows the 39 hectare site located to the south of Tahuna Road:

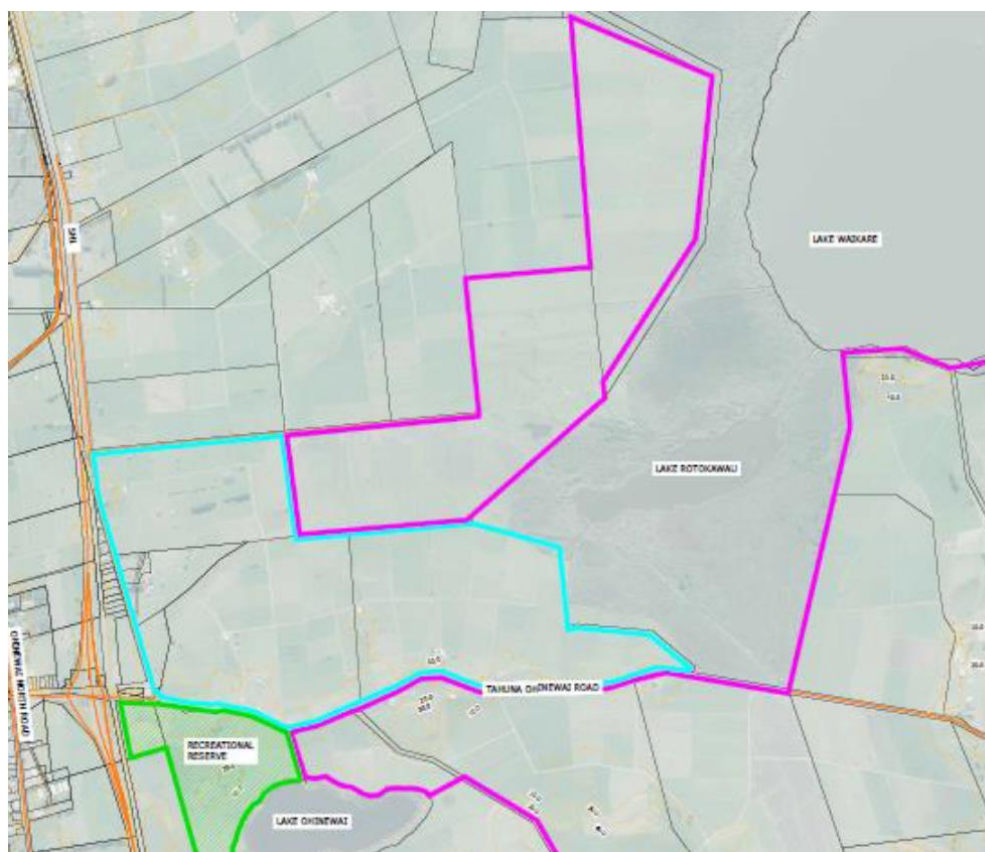


**Figure 1: OLL land subject to the Section 32AA report.**

17. The OLL land to the north of the Ambury industrial land area is shown outlined in pink on **Figure 2** below:

<sup>1</sup>

Statement of Evidence of Tony McLauchan dated 21 August 2020.



**Figure 2: OLL landholdings.**

18. Both landholdings are adjacent to the Ambury land. I understand that the OLL land could be developed within a 5-10 year window of the PWDP becoming operative (provided that the Ambury land is rezoned as discussed above). This aligns with the timeframe that is generally anticipated for the implementation of a FUZ by the introduction of a live zoning.

#### **Lens 1: Review of objectives and policies of the notified PWDP**

19. The starting point for the Lens 1 analysis of the OLL proposal is against the objectives and policies of the notified PWDP. In the context of the OLL proposal this raises a structuring issue with regard to the PWDP as a number of reports, including the Hearing 25 Framework Report, have identified an absence in the notified PWDP of objectives and policies which provide guidance or direction on zone changes of the nature sought by Ambury or OLL in their submissions. As noted in the

Framework Report, the existing objectives and policies in the PWDP are inwards looking and were drafted to serve a management function by addressing effects in the zones, not necessarily the creation of new zones.

20. Appendix 2 of the Framework Report provides a matrix of the relevant objectives and policies. The matrix is useful for instances where there is a direct 'live zone' to 'live zone' change occurring, but it does not cross reference to circumstances where a FUZ is being considered. I have summarised below the notified PWDP objectives and policies that I consider are generally relevant to the OLL proposal.
21. Chapter 1 of the PWDP describes the key resource management issues for the district. Key points of relevance to the OLL proposal include:
  - a) growth is uneven across the district. It is occurring predominantly in the north;
  - b) protection of the rural environment;
  - c) commercial activity should not compromise the vitality and viability of the primary commercial centres;
  - d) a centres-based approach with regard to retail;
  - e) a range of housing should be provided for, with varying land values and amenities;
  - f) costs and inefficiencies can increase significantly where development patterns are dispersed; and
  - g) need to ensure land use is integrated with the provision of infrastructure.
22. Paragraph 1.5.2(a) and (b) in the PWDP state the defined growth areas

will be zoned and their development guided by a range of planning tools including master plans, structure plans and future district plan changes. The Future Proof settlement pattern for urban growth and development is referenced as a means to ensure urban containment and to avoid unplanned encroachment into rural land. To give effect to the WRPS, paragraph 1.5.4(c) tethers the PWDP to the WRPS growth management policies by stating:

*It is important that the district's settlement pattern is consistent with the Future Proof Strategy's settlement pattern, as set out in the (RPS), with the expectation that any growth within Waikato district is managed within the population and land allocation limits, as included within the WRPS or as addressed by the Future Proof Strategy and any subsequent changes made to the WRPS.*

23. At paragraph 1.10.2.5(b) of the PWDP, this direction is further embedded with the express statement that:

*This district plan gives effect to this settlement pattern (Future Proof) through adopting policy direction, rules, and a zoning pattern for the Waikato district that is consistent with the WRPS and the Future Proof Growth Strategy.*

24. This policy direction is implemented through the objectives and policies contained in Section B of the PWDP. The plan also foreshadows the Waikato 2070 document wherein at paragraph 1.12.7 of the PWDP it states change is managed through the council effectively consulting with and including its community in decision making while co-operating with other authorities on regionally strategic policy.
25. The key objectives and policies relating to urban growth management are contained in Chapter 4. PWDP Objective 4.1.1 seeks to ensure liveable, thriving and connected communities that are sustainable,



efficient and co-ordinated, and to meet the former National Policy Statement on Urban Development Capacity 2016 (NPS-UDC 2016) minimum capacity targets. Objective 4.1.2 and Policies 4.1.3 and 4.1.4 in the PWDP place emphasis on aligning the location and staging of urban development with the Future Proof Strategy 2017. Policy 4.1.4(b) is quite express wherein it states:

*Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.*

26. This thread of directive policies continues in the PWDP, with Policy 4.1.6 directing that industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of Tuakau, Pokeno, Huntly and Horotiu.
27. The PWDP then outlines a specific set of policies to manage growth in each of the district's individual townships. The remainder of the objectives and policies in Chapter 4 are, as noted above, drafted primarily to manage the effects of development and activities occurring in the existing zones.
28. In general terms the PWDP provisions give effect to the WRPS. However, inconsistency exists as two versions of the Future Proof Strategy are referenced, with the WRPS detailing the prior 2009 version and the PWDP the updated 2017 version. If the Strategy itself was only referenced in the PWDP (i.e. not a particular version of the Strategy) then conceivably the plan could support and accommodate urban extensions or the location of new urban areas that enter the Future Proof Strategy via future reviews and updates. In my opinion, this approach lends weight to the Waikato 2070 strategy document which I outline below, as the introduction to this document describes the Waikato 2070 as *"help(ing to) deliver on the Future Proof Strategy (Phase 1 Review) and some of the emerging thinking in the Hamilton*

*to Auckland corridor initiatives”.*

29. In any case, the ability for a territorial authority to change its district plan exists at any stage in the resource management planning and policy cycle. Although the scope of my review is limited to the objectives and policies in the notified PWDP as they relate to the OLL proposal and submission, I also support the recent changes proposed to accommodate objectives and policies establishing a FUZ more generally, as this addresses an acknowledged ‘gap’ in the strategic policy approach for managing urban growth and development in the district and gives effect to the NPS-UD 2020.

#### **Lens 1: Conclusion**

30. As noted above, the OLL proposal is contingent on the Ambury land being accepted for urbanisation and the Hearing Panel adopting the staff recommendations regarding the introduction of the FUZ provisions. If this occurs, then in my opinion the OLL proposal does meet the intent of the objectives and policies of the PWDP as the plan will have an appropriate framework for managing new urban areas that are not proposing an immediate live zoning.

#### **LENS 2: CONSISTENCY OF THE OLL PROPOSAL WITH HIGHER ORDER POLICY DOCUMENTS AND STRATEGIES**

31. There are two fundamental issues under Lens 2 with regard to assessing the OLL proposal:
  - a) The first is the extent to which weight should be accorded to the Waikato 2070 strategy document and how this is to be balanced against the earlier strategic direction contained in the Future Proof strategy. As a general observation I note the Waikato district is currently experiencing significant levels of growth and to remain relevant and effective the strategic documents need

to reflect this.

- b) The second fundamental issue is how to address the 'give effect to' requirement under section 75(3) and ensure the PWDP is vertically aligned within the RMA hierarchy with the WRPS and NPS documents above. A further consideration is horizontal alignment in terms of alignment with the district or unitary plans of adjacent local authorities and the regional plans for the Waikato region.
32. In my experience, these issues are often subsumed by the detail required to address the analysis under Lens 3 as part of an effects-based assessment. In other words, a constraints-based planning approach is often applied too soon in the decision-making process with disproportionate weight given to immediate issues (e.g. transport access, land modification requirements) that are capable of being addressed at a later stage.

## **Lens 2: Review of objectives and policies of the operative WRPS**

33. At paragraph k. the Framework Report states:

*The Waikato District Plan (WDP) must "give effect to" and be consistent with higher order documents, including the WRPS and the NPS-UD. Tension arises between the PWDP, the WRPS and the NPS-UD in respect to ensuring sufficient supply of zoned land for residential and employment purposes. The NPS-UD is focused on enabling growth and requires both an 'up' and 'out' approach. However, the WRPS and PWDP take a more controlled approach to growth; specifying where, how much, and what activities can occur.*

34. I concur with this summary. The proposed WRPS was first released for public comment over a decade ago with the hearings process concluding with the release of decisions in 2012. Although updated to

reflect the direction in the NPS-UDC 2016, as noted above, the WRPS growth management provisions do not currently give effect to the subsequent direction in the NPS-UD 2020.

35. In common with other RPSs there is a growth management hierarchy with the development and intensification of existing urban areas supported in preference to creating new ones. The policy direction is summarised as principles that are contained in section 6A – Development Principles of the WRPS. These include:
  - a) ensuring there is a clear delineation between urban areas and rural;
  - b) promoting a compact urban form;
  - c) managing the development of areas with high environmental values; and
  - d) ensuring development is integrated with existing and planned infrastructure.
36. Objective 3.12 – Built Environment of the WRPS addresses these management issues by, amongst other things:
  - a) promoting a viable and vibrant Hamilton CBD with a supporting network of sub-regional and town centres;
  - b) ensuring development does not compromise the effective operation of infrastructure corridors; and
  - c) anticipating and responding to changing land use pressures outside the Waikato region which may impact on built environment within the region.
37. As noted above, to give effect to the prior NPS-UDC 2016, Objective 3.27 of the WRPS details the minimum housing targets for the Future

Proof area.

38. A suite of policies are contained in Chapter 6 – Built Environment of the WRPS to implement Objective 3.12. Policy 6.1 references the principles summarised in paragraph 35 above and emphasises the need for development to occur in a planned and co-ordinated manner.
39. Under Policy 6.1.6, in areas where significant growth is occurring, the WRPS directs territorial authorities to develop and maintain growth strategies which identify a spatial pattern of land use and infrastructure development and staging for at least a 30 year period.
40. Policies 6.1.7 and 6.1.8 of the WRPS then set out the mechanics of how land should be rezoned for urban development and the key information requirements. This includes: the type and nature of land uses; infrastructure considerations including provision and staging; natural hazards; and the management of existing values and valued features of the area.
41. Under Policy 6.3 – Coordinating growth and infrastructure, the WRPS places emphasis on taking a co-ordinated and integrated approach in its provision, including ensuring alignment with other planning-related documents such as the Regional Land Transport Plan.
42. Under Policy 6.13, the WRPS implements the Future Proof Strategy (2009 version) and a map showing indicative urban limits is appended in the WRPS as Map 6-2. This also indicates nine strategic industrial nodes, with Huntly listed. Table 6-2 then outlines an allocation of industrial land supply across the region. Overall, the WRPS signals the need for a long-term strategic approach and states growth strategies will be needed in areas of strong population growth. Alternatively, where there is no growth strategy the WRPS states urban development should be directed to existing urban areas. This is so that there is a reasonable certainty that the settlement pattern will

not change over the 30-year period.

43. WRPS Policy 6.14 limits urban development to the land use pattern and sequencing that has been established through the Future Proof process. For new urban development in the urban areas identified on Map 6-2, Policy 6.14 states this shall occur within the urban limits of each area. Similarly, the policy signals new industrial development should occur within the urban limits and predominantly within the nine strategic nodes. Although limited exception is made for industrial development which must necessarily locate close to primary production sources, Policy 6.14(e) states new industrial development outside the industrial nodes or allocation limits set out in Table 6-2 shall not be of a scale or location that undermines the roles of any strategic node listed in the table.
44. Implementation Method 6.14.1 of the WRPS directs the Waikato territorial authorities to review and change their district plan and structure plans to identify locations and limits for future urban development, including future areas of major commercial and industrial development. Each district plan shall ensure that urban development is located and managed in accordance with Policy 6.14.
45. The WRPS also contains a set of review mechanisms of Policy 6.14. Under Policy 6.19 the WRC will consider the need to review Policy 6.14, including the extent, location and release of land identified for development if any of four situations occur. Two of the four situations involve a recommendation from the Future Proof committee or mutual agreement between the partners that a review is necessary. The two other situations rely on external metrics: A review may be triggered:
  - a) if household and population growth varies by more than 10% over 5 consecutive years from the household and population

predictions in the Future Proof strategy; or

- b) if the partners agree that insufficient land existing with the Map 6.2 urban limits to cater for growth anticipated within 10 years of the analysis.
46. In any case, Implementation Method 6.19.1 of the WRPS states the partners will assess the need for review at a minimum of five-yearly intervals.
47. Overall, in terms of urban growth management the WRPS seeks to implement the Future Proof strategy. However, excepting circumstances where there is special legislation in place (e.g. Auckland for its Auckland Plan, or previously for implementing the ARGs), the RMA does not place strategic plans atop its hierarchy of planning documents. Nor does the RMA accord any primacy amongst strategic planning documents. Weight given to such documents generally rests to the extent they are undertaken within the statutory framework of the Local Government Act 2002, in a manner consistent with the Act's public consultation and engagement procedures.
48. Policy 6.1.6 and the review methods outlined above appear to recognise this, with the WRPS recognising that a territorial authority may address significant growth issues by developing its own growth strategies. There is nothing to indicate primacy of the Future Proof strategy over such a strategy, beyond the fact that the Future Proof metrics regarding household and business land capacity are codified in the WRPS. To reconcile this, in my opinion it is not inconsistent with the WRPS for a territorial authority to develop a new strategy that seeks to address the 'extra-over' residential growth that is above and beyond the metrics outlined in Table 6-1, or is located in an alternative location that is not identified on indicative Map 6-2 of the WRPS.

- ## Lens 2: Strategic Planning Direction

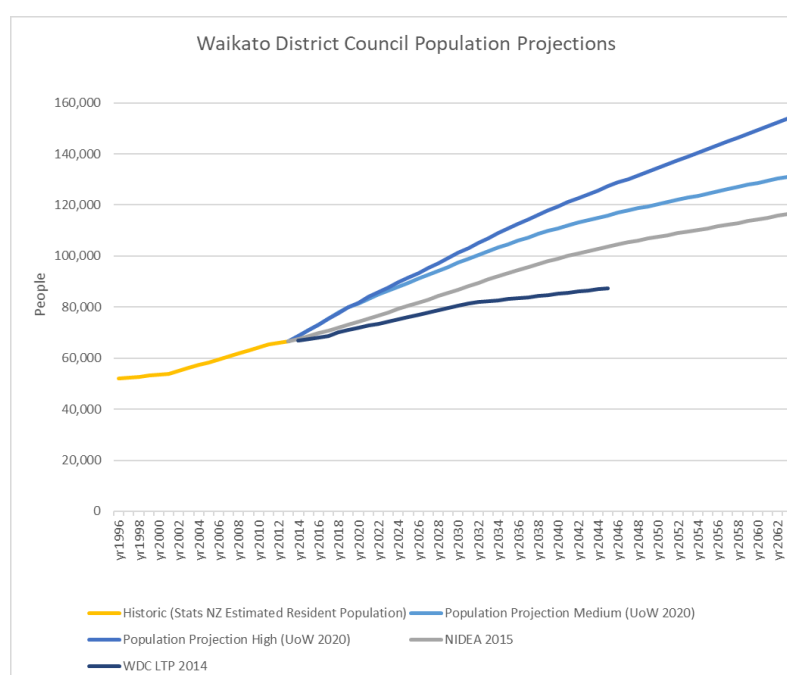


of the Ohinewai north industrial cluster which has a 10-30 year timeframe.

51. The Waikato 2070 document was developed using the special consultative procedures under section 83 of the Local Government Act 2002. It is an important statutory document, albeit not one created under the RMA or at present given express recognition in an RMA planning document by way of a specific reference. With the Phase 2 Review of Future Proof presently underway, in my opinion the Waikato 2070 document is the more relevant strategic planning document for the Waikato district at this time.

#### *WRPS and NPS-UD 2020*

52. The NPS-UD 2020 came into force on 20 August 2020. Both the Waikato Regional Council (WRC) and Waikato District Council (WDC) are identified as Tier 1 local authorities, with Hamilton listed as a Tier 1 urban environment. As a Tier 1 local authority, the WDC is managing an area of significant urban growth. This is exemplified by the WDC's population forecasting for the short, medium and long term timeframes contained in the NPS-UD 2020:



53. The growth analysis undertaken by WDC for the Huntly and Ohinewai areas is depicted below. The inclusion of new urban land in the Ohinewai area enables WDC to meet the requirements of the NPS-UD 2020 in terms of household capacity under a medium and high household projection as well as the 20% competitive margin required under clause 3.22 of the NPS:



54. Both the OLL and Ambury proposals fall within Policy 8 of the NPS-UD 2020 which directs local authority decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning environments even if unanticipated or out-of-sequence with planned land release.
55. Policy 8 must be read in context with the rest of the NPS and in particular, Policy 1, which outlines the key success factors for a well-functioning urban environment.
56. The implementation approach, which I agree with, is to adopt the view that the NPS-UD 2020 is supportive of new, standalone urban environments where the NPS objectives are met and the policy

requirements are fulfilled. Under this approach, the river settlements within WDC's area form the housing and labour market and a new standalone settlement is appropriate if able to be supported with sufficient infrastructure (for example, the provision of water and wastewater services in accordance with the capacity assessments prepared by Watercare, reopening the former station at Ohinewai on the North Island Main Trunk Railway (NIMTR), or creating an alternative bus rapid transit service), provide good amenity and accessibility between housing, jobs, community services, natural spaces (akin to WDC's live-work-play philosophy).

57. With reference to the FUZ Report, there is support for the contention that all parts of the district that have urban zoning are subject to the NPS-UD 2020.
58. In many respects the key risk with Ohinewai's future is that the proposed scale of urbanisation is reduced in scale and becomes too small, or an activity mono-culture takes hold and the area is limited solely to industrial uses. To create a strong, well-functioning urban environment to respond to Policies 1 and 8 of the NPS-UD 2020, the area will need an urban centre of a quality that provides a sense of place. The other long-term consideration is ensuring a long-term vitality beyond the term of any of the existing parties. The planning for Ohinewai is properly a 30-year exercise. Over a timeframe of this length, it is an open question as to whether any specific industrial land use that is proposed to relocate to Ohinewai will endure.
59. The key aspect therefore is ensuring the planning is long-term and inclusive of several potential long-term futures. In other words it is not solely 'tethered' to the outcomes sought by a single development entity. The inclusion of OLL as a separate party assists this. From my experience of planning and then implementing master plans in areas such as Wynyard Quarter in Auckland, one of the unacknowledged

success factors is down to the number and variety of land developers present in these developments. Although guided by a single master plan, the competitive tension this creates and the application of a broad range of development skills and interests assists with achieving quality design outcomes.

60. The Hearing 25 Section 42A Framework and FUZ staff reports comprehensively address the NPS-UD 2020 in their analysis. However, in my opinion, the overall conclusion appears to trend towards a small refinement of the status quo. That is, an acknowledgement of the need for including new growth management tools in the PWDP such as the FUZ, but a strong preference not to 'rock the boat' in terms of strategic planning direction. In other words, the FUZ is being conscribed as a tool to assist with the release of land in locations already identified and sequenced under Future Proof or the WRPS. In my view, this does not go far enough and the PWDP should have in place provisions which provide an assessment framework for new, standalone settlements. Under existing resource management processes, there can be a significant lag time between the finalisation of new strategic direction such as Future Proof and its implementation via the RPS and district and city plans. This is one of the issues the NPS-UD 2020 assists with resolving.
61. The Waikato district is facing significant growth pressures on account of its proximity to both Hamilton and Auckland. While it almost trite and superficial to state this, in my view there needs to be a step change away from the rigid application of applying a growth model in the WRPS that is now over 10 years old, and also to move away from a planning approach which seeks to control or allocate growth to specific places to the exclusion of others, without the opportunity for a merits-based assessment to first occur.
62. For example, due to the significant external growth pressures, when

taking a medium to long term perspective the housing and labour market along the length of the Waikato river settlements should be considered as a single entity. In individual instances, over the short-term some urban areas along this length may develop more slowly or possibly even go into decline, but overall, growth is a 'rising tide' for the district. In my opinion, protecting the vibrancy and vitality of Huntly for example is insufficient justification to preclude Ohinewai from urbanisation.

63. What supports this is the existing high degree of connectivity in both a spatial and a social sense between the centres. For example, the distance from either Te Kauwhata or Huntly to Ohinewai is less than the commute most Aucklanders undertake from home to work.

### **Lens 2: Conclusion**

64. In my opinion the OLL proposal gives effect to the NPS-UD 2020 under Policy 8 and is consistent with the Waikato 2070 strategy. The NPS came into force on 20 August 2020 and the WRPS will require amendment to give effect to it. Given the extent to which the WRPS codifies the 2009 Future Proof strategy, it will be important to ensure the Phase 2 review also addresses the new requirements in the NPS-UD 2020. For this reason, I consider the Waikato 2070 strategy is the more relevant of the two strategies at this time. It is more recent, has been developed under the consultative processes in the LGA, is cognizant of the significant growth issues the district is now facing, and overall, is more closely aligned with growth management directions contained in the NPS-UD.

### **LENS 3: ASSESSMENT OF THE EXTENT TO WHICH THE OLL PROPOSAL MEETS GOOD PLANNING PRACTICE APPROACHES TO ZONING**

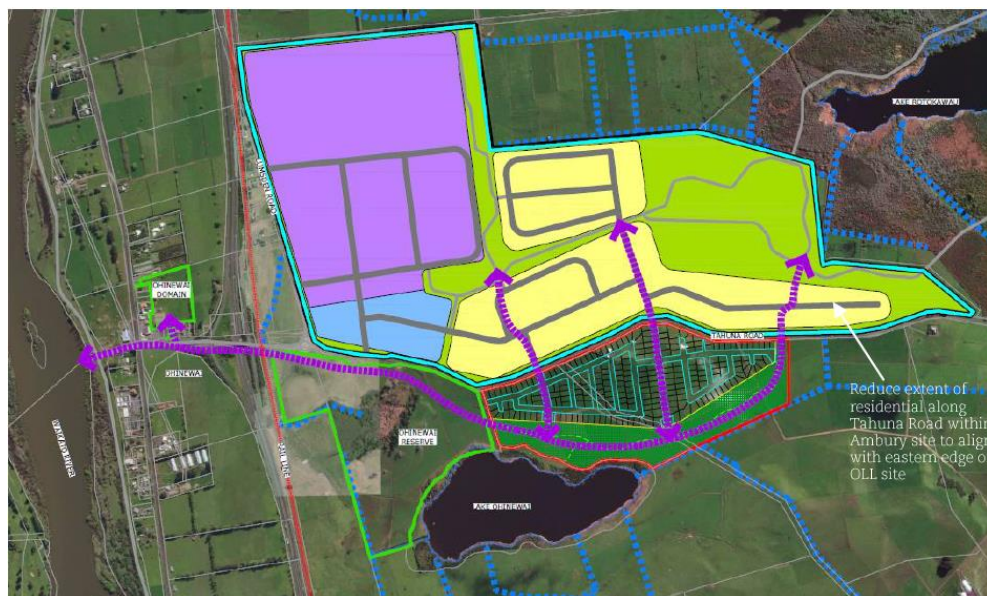
65. As part of the Ohinewai hearing process a Section 32AA report in support of the OLL proposal for the land area south of Tahuna Road

(shown in Figure 1) was filed with the Hearing Panel. Although the report predates the staff recommendations in the FUZ Report, the conclusions and outcomes of the Section 32AA remain valid and align with the development outcomes and 5 – 10 year timeframe set out in paragraphs 14 -16 above. In summary the OLL land is appropriate for a future urban zoning, principally as an adjunct to any new urban area established on the Ambury land.

66. The section 32AA report is supported by three technical reports:
  - a) Urban Design and Visual Assessment - Boffa Miskell;
  - b) Infrastructure Services Assessment – Harrison Grierson; and
  - c) Archaeological Assessment – W Gumbley & Assoc.
67. A copy of the Section 32AA report, together with its attachments is appended as **Attachment 1**. A brief summary of this report is set out below.
68. The scope of the Section 32AA report examines the potential future zoning of OLL's 39 hectare site shown in Figure 1. The outcome of the report is a recommendation to identify 26 hectares as a future residential area with the remaining 16 hectares set aside for open space. The future residential area is anticipated to complement the neighbouring Ambury site by having lower development density, with approximately 235 dwellings anticipated at an approximate yield of 10 dwellings per hectare, with an average lot size of 500-600m<sup>2</sup>.
69. The key landscape features which characterise the area surrounding Ohinewai are the open rural landscapes, the Waikato River and Lakes Ohinewai, Rotokawau, and Waikare. The existing context of the Ohinewai area is summarised in the Section 32AA report as:
  - a) an existing settlement with approximately 250 residents on the

eastern bank of the Waikato River and west of the Waikato expressway;

- b) having the basic structural elements of a small rural centre with a primary school, community hall, reserve, industrial area, albeit no longer with any retail or commercial services;
  - c) being adjacent to the NIMTR; and
  - d) having a daily bus service from Ohinewai to the Hamilton to Te Kauwhata route.
70. The notified version of the PWDP includes a mix of Business, Village, Country Living, Reserve and Rural zoning for the land in and around Ohinewai. The OLL land has a proposed Rural zoning in the PWDP. There is some development potential in an area of land to the south of Ohinewai on land proposed for a Country Side Living zone. This is currently unimplemented.
71. The OLL land area south of Tahuna Road has been designed to integrate with the existing Ohinewai settlement and with the Ambury proposal via roading improvements to Tahuna Road and utilisation of open space. These connections and the interrelationship of this land with the Ambury land to the north in terms of general urban form and connectivity is identified in Figure 3 below:



**Figure 3: OLL masterplan.**

72. In terms of infrastructure provision for water and wastewater, the Section 32AA report appends an infrastructure services assessment, together with correspondence from Watercare. This should also read together with the more recent Mid-Waikato Water and Wastewater Strategy completed by Watercare as part of the Waikato 2070 strategy.
73. Transportation infrastructure upgrades are signalled as necessary to provide safe pedestrian and cycle access across the expressway and the NIMTR. Given the severance this transport infrastructure generates with regard to the existing settlement at Ohinewai, in my opinion these upgrades should occur in any case, regardless of the outcome of the Ambury and OLL proposals.
74. The Section 32AA report provides an assessment of the OLL proposal against the RMA and non-RMA planning documents. This assessment is of its time, with a number of documents (such as the Waikato 2070) reported on in their draft form. However, the subsequent changes to these documents are either minor or have been comprehensively addressed in other evidence or by Section 42A report staff reporting



on the PWDP and so is not outlined further here.

75. Section 6 of the report provides a comprehensive analysis that is consistent with the requirements of Section 32AA. This examines the alternative options to rezoning, the costs and benefits if rezoning proceeds. Specifically, the report assesses the changes proposed by Ambury to Policy 4.1.19 of the PWDC and is supportive of further text changes, and the addition of a potential future growth area and associated changes to the structure plan which Ambury has requested to be inserted in Appendix 13 of the PWDP.
76. The key point of emphasis in the Section 32AA report is the decision as to whether or not the OLL land should be urbanised is a policy decision to be determined under Lenses 1 and 2. Under Lens 3 there are no inherent physical or environmental constraints that would preclude urbanisation.

## **CONCLUSION**

77. OLL has identified the growth potential at Ohinewai due to its strategic location between Hamilton and Auckland and its proximity to the Waikato Expressway and the NIMTR. The OLL land to the south of Tahuna Road is well suited to be zoned residential in the future in conjunction with the land areas proposed by Ambury Limited. To ensure sufficient land capacity is available to address industrial land supply for the medium and long term I also support the identification of the OLL land to the north of the Ambury land areas as part of a Future Urban Zone.

78. I consider that the identification of the OLL land areas at Ohinewai shown in **Attachment 2** as future urban zones best meets the purpose of the Act and gives effect to the NPS-UD 2020.



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**Matthew William Twose**

Date: 17 February 2021

**ATTACHMENT 1**

**SECTION 32AA REPORT FOR THE OHINEWAI LANDS LIMITED  
PROPOSAL AT OHINEWAI**

**PROPOSED  
WAIKATO DISTRICT  
PLAN - OHINEWAI**

Section 32AA Planning Report

Ohinewai Lands Ltd



## DOCUMENT CONTROL RECORD



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# 1.0 INTRODUCTION

## 1.1 HEARINGS PANEL'S DIRECTION

This report has been prepared and submitted in accordance with the Hearings Panel's direction dated 20 August 2019. Its purpose is to assist the Hearings Panel with decisions on the Ohinewai rezoning requests and in particular the submission made by OLL.

## 1.2 OVERVIEW OF REPORT PURPOSE AND SCOPE

Ohinewai Lands Limited (**OLL**) made a submission and further submissions to the Proposed Waikato District Plan (**PWDP**) relating to growth and development at Ohinewai (included in **Appendix 1**).

OLL has identified the potential for future growth at Ohinewai due to its strategic location between Hamilton and Auckland and its proximity to the Waikato Expressway and the North Island Main Trunk railway (NIMTR). The growth proposition is premised on the establishment of a mixed use centre, including a new industrial node which is expected to be anchored by Ambury's plans to establish a consolidated base for its bed manufacturing business, commercial activities at a suitable scale to support the local community, residential dwellings with a mix of densities and extensive areas of open space which relate closely to the natural attributes of the Ohinewai area.

In its primary submission on the PWDP, OLL sought that growth and rezoning decisions should be informed by a structure planning exercise to provide an overarching approach to land use planning in the area. The structure plan approach necessitates participation by multiple landowners and other stakeholders to ensure that the best outcome can be achieved for growth at Ohinewai.

Structure planning relies on having a good basis of information on which to make decisions. It is expected that the findings in this Section 32AA Planning Report will be subject to future review and potentially refinement as more information becomes available. This includes the technical information that is being prepared in relation to other submissions which OLL's experts have not yet had an opportunity to review.

Concurrently there are a number of growth planning initiatives underway, including the Hamilton to Auckland Corridor Plan, the Waikato District Growth and Economic Development Strategy and the Future Proof Phase 2 review. The work that is being undertaken on those strategies (by a range of parties in parallel with the PWDP) potentially provides the opportunity to consider the outcomes of investigations as part of the structure planning and rezoning process, although the extent to which the outcomes are known will be dependent on timing.

## 1.3 CHANGES SOUGHT BY OLL TO PWDP

This report provides details regarding the changes sought to the PWDP, including technical reports and an assessment of the changes in terms of the statutory framework under the Resource Management Act 1991 (RMA).

OLL has refined its requested changes to the PWDP based on the engagement and advice of technical experts, following discussions with Ambury and some local stakeholders and following consideration of progress with the various relevant strategies which are underway related to growth at Ohinewai. OLL has considered the potential for an approximately 39 hectare site located between Tahuna Road and Lake Ohinewai to be developed in future, if Ambury's plans to develop industrial and residential activities at Ohinewai are to proceed. OLL considers that the site is well suited to be zoned Residential



in the future and would likely to be able to accommodate approximately 235 dwellings and public open space areas adjacent to Lake Ohinewai.

It is important to confirm that whilst OLL is considering potential residential use of the site in the future, they do not intend to develop the site in the short term and as such OLL is not seeking that its site be rezoned through this PWDP process. This means that OLL is seeking that decisions on the PWDP anticipate and do not preclude the future rezoning and development of the OLL site for residential and open space purposes, which will provide a longer time horizon to enable OLL (and infrastructure service providers) to effectively plan for the future development of the site and to ensure integration with Ambury's own development plans.

In summary, OLL supports the following changes requested by Ambury in its submission and further submission. These are:

- Changes to Objective 4.1.2, Policy 4.1.3 and addition of a new Policy 4.1.19; and
- Insert a Structure Plan for Ohinewai into Appendix 13.

OLL seeks the following further changes to the PWDP:

- Changes to Ambury's requested wording for Policy 4.1.19 to distinguish references to "large scale industrial development" and "commercial development" (this is a minor drafting improvement), to insert reference to low density housing (as well as medium and higher density) to insert reference to "an attractive interface to Tahuna Road with properties fronting the road" being one of the urban design outcomes for the residential area;
- Reference to the OLL site as a potential future growth area, addition of the Ohinewai Reserve and changes to the extent of Ambury's proposed residential area in the Structure Plan for Ohinewai in Appendix 13. The changes are shown on the plan in **Appendix 2**; and
- Any other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of OLL.

## 1.4 TECHNICAL REPORTS

This planning report is supported by the following technical reports as listed in the Appendices:

- Urban Design, Landscape and Visual Assessment (Boffa Miskell and included as **Appendix 3**);
- Infrastructure Services Assessment (Harrison Grierson and included as **Appendix 4**);
- Archaeological Assessment (W Gumbley and Associates and included as **Appendix 5**).

## 1.5 OHINEWAI LANDS LIMITED

OLL is the owner of rural properties which, together with land owned by Waikare Lands Ltd, total in excess of 1300 hectares in the wider Ohinewai area. The properties have frontages to Tahuna Road, Balemi Road, Frost Road and Spencer Road. The OLL property is held in the same ownership as Waikare Lands Ltd and the properties are farmed together as a single entity. The farm includes dairy, beef, chicken and cropping operations.

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 Director's land development interests include the Rangitahi subdivision in Raglan and the Amberfield subdivision in Hamilton. Rangitahi is subject to a Structure Plan in the Operative and Proposed Waikato District Plans which enables the development of approximately 550 residential lots. Construction at Rangitahi is well underway and the first stage (consisting of approximately 100 lots) is programmed to be completed in early 2020. Resource consents have recently been granted for the Amberfield development which is in Peacocke in Hamilton. That development will consist of approximately 900 dwellings and a new suburban centre.

Both the Rangitahi and Amberfield projects involve development within new growth areas which have required significant collaboration and investment in infrastructure. The Directors of OLL therefore have a very good understanding of the land development process and have a successful track record of developing large scale urban development projects in the Waikato region.

## 2.0 OHINEWAI CONTEXT

### 2.1 EXISTING OHINEWAI SETTLEMENT

Ohinewai is a small rural village that, in 2013, had an estimated population of 186 residents<sup>1</sup>. The current estimated population is approximately 250 residents<sup>2</sup>.

The existing village is predominantly focused on the western side of the Waikato Expressway around the intersection of Ohinewai North Road, Ohinewai South Road, Tahuna Road and Ohinewai Landing Road where there is a small centre with a disused retail building, a cluster of dwellings, a community hall, a reserve, a small light industrial depot and a boat ramp on the Waikato River. A primary school (with a role of approximately 150 students) is located on Ohinewai South Road approximately 350 metres south of the intersection. The posted speed limit in this area is 70km/hr.

There is a small cluster of houses located on Lumsden Road on the eastern side of the Expressway to the north-east of the Ohinewai interchange. Lumsden Road also provides access to a timber mill and a yard for relocated houses that are located on adjoining sites approximately 3.6km north of the interchange.

### 2.2 EXISTING TRANSPORT NETWORK

Ohinewai North Road and Ohinewai South Road were formerly part of State Highway 1 until the Expressway bypassed the village in 2003 at which time the State Highway classification was then removed from those roads. Ohinewai is now accessed from the Expressway via a full diamond interchange. The North Island Main Trunk Railway (NIMTR) adjoins the eastern side of the Expressway. The existing bridges over the Expressway and the NIMTR are narrow and do not have any dedicated provisions for pedestrians or cyclists.

Tahuna Road is classified as an Arterial Road in Table 14.12.5.6 in the PWDP. The function for Arterial Roads is described in Table 14.12.5.5 as forming a strategic network of district importance, providing for the collection and distribution of goods significant to the district's economy, having less than 6,000 vehicle movements per day and where

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<sup>1</sup> Waikato Blueprint, pg 76.

<sup>2</sup> Ohinewai Masterplanning, Urban Design, Landscape and Visual Assessment, Boffa Miskell, 25 November 2019.

the through function needs to be balanced against the property access function. Tahuna Road accommodates two traffic lanes with a total road width of 7.1m. The road reserve was measured on Waikato Council GIS system as approximately 24.8m. The section of Tahuna Road, adjacent to the subject site, has a posted speed limit of 100km/h. It is an alternative route east to towns including Matamata and Morrinsville and over the Kaimai Ranges to the Bay of Plenty region. No traffic count data has been sourced for Tahuna Road.

State Highway 1 (the Waikato Expressway) is classified as a National Route in Table 14.12.5.6 in the PWDP. The function for National Routes is described in Table 14.12.5.5 as forming a strategic network of national importance, providing for the collection and distribution of goods significant to the national economy and where the through function predominates. The most recent traffic counts for SH1 were obtained from the [www.trafficcounts.co.nz](http://www.trafficcounts.co.nz) website. These were undertaken in December 2015 for the section of the state highway network 655m south of the Tahuna overbridge with the weekday traffic count recorded as 10,994 comprising of 12% heavy vehicles. The posted speed limit is 100km/h.

A train station opened at Ohinewai in 1877 and was located between Lumsden Road and the NIMTR on land which is still held by the Crown and designated by Kiwirail for railway purposes. The station was closed for passenger services in 1965 and it was closed for freight in 1978.

There is currently only one public bus per day during weekdays that provides a morning and evening service from Ohinewai on a route between Hamilton and Te Kauwhata. The bus stops on Tahuna Road on the western side of the Expressway.

## **2.3 EXISTING SERVICES**

There are currently no reticulated water, wastewater or stormwater services at Ohinewai. Properties within the village are self-sufficient with respect to these services through on-site systems.

## **2.4 EXISTING LANDSCAPE**

Key landscape features which characterise the area surrounding Ohinewai are the open rural landscapes, the Waikato River (which is located to the west of Ohinewai) and Lake Ohinewai (which is located east of Ohinewai). Lake Rotokawau and Lake Waikare (which are both located north west of Ohinewai) are slightly more distant and are less visible from public areas, with the exception of the densely vegetated riparian margins of Lake Rotokawau which are visible to motorists traveling along Tahuna Road. The ecologically significant and large Whangamarino Wetland (which is recognised as an outstanding freshwater body and wetland with significant values in Map 8B of the WRPS) is located to the north-east beyond Lake Waikare.

## **2.5 ROLE AND FUNCTION IN RELATION TO SURROUNDING SETTLEMENTS**

Ohinewai is located approximately 8km north of the Huntly town centre and approximately 12km south of the Te Kauwhata town centre. Huntly, being the closer and larger settlement, is currently the key service centre for Ohinewai for core services such as retail, hospitality and entertainment, medical services and secondary schooling.

## **2.6 PROPOSED WAIKATO DISTRICT PLAN (NOTIFIED VERSION)**

The notified version of the PWDP includes a mix of Business, Village, Country Living, Reserve and Rural zonings for land in and around Ohinewai. Some development potential exists at Ohinewai through the Country Living zoned area which is located south of the village and is largely unimplemented. The zoning of that land is carried over

from the Operative Waikato District Plan. Further north, the sites on Lumsden Road which contain a timber mill and relocatable house company are zoned Industrial. The OLL site and the Ambury site to the south and north of Tahuna Road respectively are both zoned Rural. Refer to **Figure 1** below.

**Figure 1** Proposed Waikato District Plan (Notified Version) Zoning



Lakes Rotokawau and Waikare are both identified as Significant Natural Features under the PWDP and Lakes Ohinewai, Rotokawau and Waikare and a small area within Ohinewai Reserve are all identified as Natural Character areas.

## 2.7 OHINEWAI RESERVE

The Ohinewai Reserve is located south-east of the Expressway interchange with frontage to Tahuna Road. The reserve adjoins the north-western margin of Lake Ohinewai and the western edge of the OLL site. The Reserve Management Plan for the Ohinewai Reserve<sup>3</sup> identifies that it has an area of 33.5 hectares. It is described as follows:

*“This large reserve consists of swamp and grazed land located to the North West of Lake Ohinewai. The swamp is fenced and designated as a Significant Natural Area. The reserve adjoins Department of Conservation and RiverCare planting zones around the lake.*

*This has been identified as a low to medium value ecological site.”*

Issues which are identified for the reserve are weeds and stock negatively impacting ecological values, no formed access or parking and no signage to make it obvious it is a reserve. Identified actions for the reserve include installation of signage, adequate fencing, progressive removal of stock and replacement with native plantings, pest control and coordinated improvements with DOC and RiverCare. Proposed development of the reserve by WDC includes installation of an access road and car parking and installation of walkways to the lake and swamp.

<sup>3</sup> Waikato District Natural Parks Reserve Management Plan, November 2018, pg 42-44  
[https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/reserve-management-plans/natural-reserves-management-plan-2018.pdf?sfvrsn=826882c9\\_2](https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/reserve-management-plans/natural-reserves-management-plan-2018.pdf?sfvrsn=826882c9_2)

## 2.8 UNFORMED ROADS

There are two existing unformed roads in the vicinity of the OLL site.

One of the unformed roads is located immediately west of the OLL site adjacent to the Ohinewai Reserve. The potential exists that the road could be formed in the future to provide access and parking for the Ohinewai Reserve. However, it would require a new intersection to be constructed on Tahuna Road and the intersection would not be in one of the locations which is identified on Ambury's proposed structure plan as a vehicle entry location to their site. Alternatively, if the OLL site is developed in the future then the internal roads that would be constructed would provide another option for access to the Ohinewai Reserve.

There is a second unformed road which runs diagonally through the OLL site which would need to be stopped to enable the development of the OLL land. Although the unformed road is unlikely to be required to be formed in the future, the OLL development would involve the vesting and construction of new roads with the potential for the section of unformed road to be stopped within the OLL site and effectively realigned. It is understood that this would require a road stopping that could be pursued under the Public Works Act 1981 (as there is no wider public interest that would require the Local Government Act 1974 road stopping process to be utilised).

## 2.9 ARCHAEOLOGY

An Archaeological Assessment has been prepared by W Gumbley Ltd and is included in **Appendix 5**.

The assessment concludes that there are no known archaeological sites with corresponding values within the OLL site and the potential for unidentified archaeological deposits is very low to nil.

# 3.0 OLL'S PROPOSAL

## 3.1 OLL'S SUBMISSION AND FURTHER SUBMISSION

OLL's primary submission sought that Ohinewai be included as a location for growth in the PWDP. Its further submission:

- Supported Ambury's proposed rezoning;
- Supported changes to the PWDP provisions and maps to provide for outcomes identified in the Hamilton to Auckland Corridor Plan (Corridor Plan) and the Future Proof Phase 2 review with regard to a growth node at Ohinewai; and
- Sought that decisions for Ohinewai should be based on consideration of a structure planning exercise to provide an overarching approach to land use planning in and around Ohinewai.

OLL participated in a pre-hearing conference related to Ohinewai submissions on 5 August 2019 and subsequently filed a Memorandum from legal counsel dated 14 August 2019 which sought to better define the land within its control in the Proposed Growth Area that it was seeking to be urbanised. The Memorandum also signalled a preference for residential land use within OLL's land holdings but identified that the exact land use would be determined following a structure planning exercise as stated in OLL's further

submission. The Memorandum was filed prior to the re-notification of submissions for Ohinewai by WDC.

At the time of writing this report, the Corridor Plan has not advanced to the stage that OLL had anticipated when it made its further submissions. The Future Proof Phase 2 review has not commenced and is likely to be progressed at some stage in 2020. The Corridor Plan and Future Proof are considered together with other relevant policy documents in Section 5 of this report.

## 3.2 PROPOSED OHINEWAI GROWTH AREA

### 3.2.1 OLL SITE

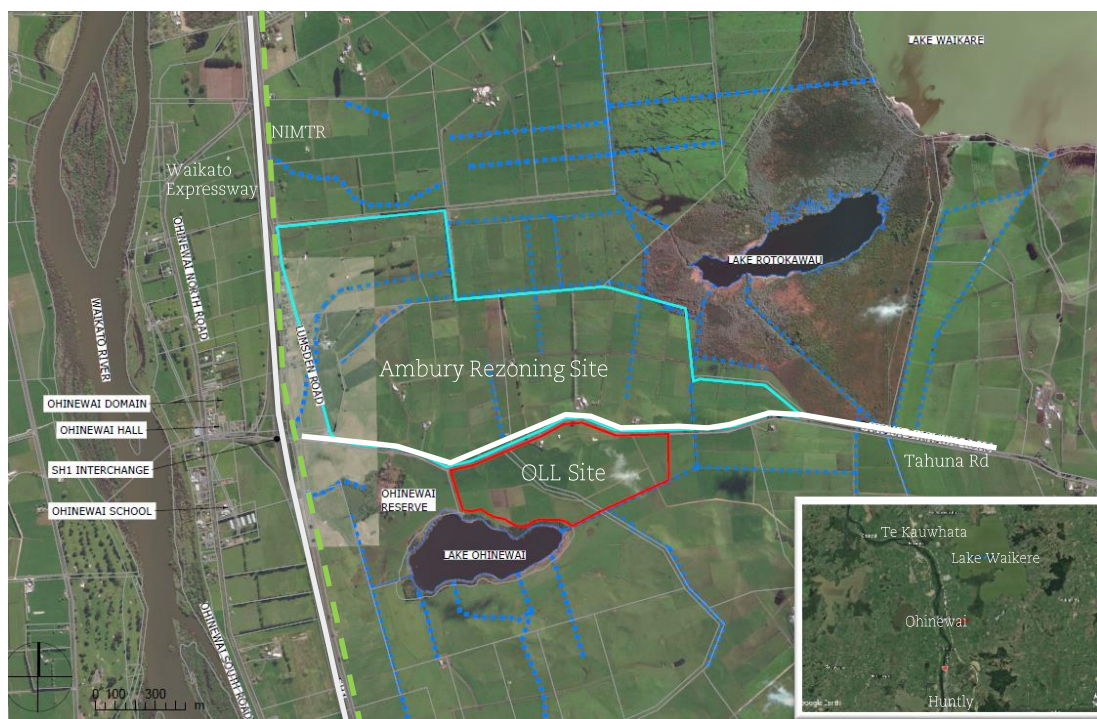
OLL has commissioned various technical reports and consulted with Ambury in respect of Ambury's development proposal (which OLL broadly supports). As a result, OLL has refined its proposed growth area (the OLL site) to an area of approximately 39 hectares which is located south of Tahuna Road and north of Lake Ohinewai. The OLL site is shown in **Figure 2** below which also identifies the site of Ambury's rezoning proposal. Although the total area of the site is approximately 39 hectares, the vision for the site is for it to be developed with a mix of residential (approximately 23 hectares) and open space (approximately 16 hectares) land uses in a manner that will be complementary to the development that is proposed for the Ambury site.

The OLL site consists of rural farmland with a single farmhouse and barn located on the northernmost part of the site. The site has rolling topography which is centred around a hillock rising to approximately RL 33m. An elevated ridge runs around the hillock and parallel with Tahuna Road within the northern part of the site. The southern part of the site is lower lying land down to approximately RL 7m. The lowest lying areas along the southern extent of the site are understood to be prone to flooding following large rain events or at times when the floodgates for the Lower Waikato-Waipā Flood Control Scheme are opened as a measure to manage water levels in the Waikato River.

Published soil maps indicate that most of the site is underlain by deposits comprising Orthic Granular Soils which are described as clayey soils. Soil permeability for these soils is likely to be moderate. The lower lying areas of the site are underlain by peat. Site specific geotechnical investigations have not been undertaken and would be required to identify any geotechnical hazards specific to the Ohinewai site. These further investigations would be undertaken as part of technical reporting for a plan change seeking rezoning and at resource consent stage for the development of the site.



**Figure 2** OLL's Proposed Growth Area



### 3.2.2 OHINEWAI PROPOSED URBAN FORM

The following analysis draws on the findings of the Urban Design, Landscape and Visual Assessment which is contained in **Appendix 3**. Refer also to **Figure 3** below.

Ohinewai's position between Hamilton and Auckland and adjacent to the Waikato Expressway and NIMTR makes it a strategic location for urban growth. Growth in Ohinewai East offers unique opportunities. For industrial and commercial development, the location adjacent to the NIMTR provides opportunities for rail access (including rail siding potential) that do not exist within Ohinewai West. The development of future industrial and commercial land use in Ohinewai West is likely to be inappropriate due to the cultural values and visual amenity associated with the adjoining Waikato River.

The potential to locate additional residential zoned land in close proximity to employment opportunities exists in Ohinewai East if the land adjacent to the NIMTR is zoned for industrial and commercial land uses, provided that suitable separation is offered to manage potential reverse sensitivity effects. A safe means of access for pedestrians and cyclists across the Expressway and the NIMTR will need to be provided to ensure a suitable connection between Ohinewai East and Ohinewai West.

The potential to create a highly liveable community exists at Ohinewai due to the proximity to Lake Ohinewai, Lake Rotokawau and Lake Waikare and their margins and the opportunity to provide new areas of open space to enhance access around these lakes with related residential lifestyle, ecological and tourism opportunities. The OLL site is located immediately adjacent to the eastern edge of the Ohinewai Reserve and immediately adjacent to the northern edge of Lake Ohinewai. Its location provides opportunities to enhance access and use of the existing reserve and to provide an additional area of reserve on the northern margin of the lake. The creation of additional open space areas adjacent to Lake Ohinewai and the existing reserve would result in the potential for ecological corridors to be created linking the lakes. The same corridor linkages also would enable continuous walkways and cycleways to be established for use by the local community and tourists.

Approximately 70% of the area of the OLL site that is identified for residential development is above the adopted RL 8m 1% AEP flood level. This compares favourably with other areas in Ohinewai. OLL owns other land within the Ohinewai area which enables opportunities to fill the approximately 7 hectares of land that is within the 1% AEP flood area on the OLL site and offset it by creating additional capacity within the flood scheme elsewhere on land owned by OLL to achieve hydraulic neutrality.

The topography of the OLL site enables elevated lots with an attractive outlook over Lake Ohinewai and the Ohinewai Reserve. The OLL site would be well suited for residential development with a density of approximately 10-12 dwellings per hectare. The site is capable of being earthworked to achieve suitable contours for residential development. It is likely that there would be some surplus cut material which could be used as a local source of fill to enable development within the OLL site and potentially on the adjoining Ambury site.

Reduce extent of residential along Tahuna Road within Ambury site to align with eastern edge of OLL site



### 3.2.3 INFRASTRUCTURE SERVICING REQUIREMENTS

Outcomes of initial investigations by OLL's consultants on servicing matters are set out in the Infrastructure Services Assessment in **Appendix 4**. This section draws on those findings.

Although there is currently no three waters reticulation in Ohinewai, recent discussions which have been held with Watercare indicate that it is likely that Ohinewai will be able to be serviced with bulk water supply and wastewater infrastructure within a 5 to 10 year period. Watercare staff expect to have a better understanding of this by June 2020 following completion of a servicing strategy for the corridor between Huntly and Meremere. Preliminary calculations of requirements for water and wastewater servicing for the OLL site are contained in the Infrastructure Services Assessment in **Appendix 4**. OLL intends to continue to liaise with Watercare to ensure that that consideration of services provision includes adequate capacity to service residential development on the OLL site.

Stormwater from development within the OLL site is likely to be managed through maximising soakage of stormwater to ground and then attenuating any remaining stormwater to enable flows to be released slowly back into the natural watercourses. There are a range of potential methods for achieving this, including swales, rain gardens, on lot rainwater tanks, wetlands, dry detention areas, sand filters and filter strips. It is likely that multiple methods would be used. The residential lots and open space areas within the OLL site would enable stormwater to be managed within the site and treated to a high standard prior to entering downstream waterways.

### 3.2.4 TRANSPORTATION INFRASTRUCTURE REQUIREMENTS

It is expected that upgrades will be required to provide safe pedestrian and cycle access across the Expressway and the NIMTR. Upgrades will also be required to Tahuna Road to provide safe and suitable provisions for vehicles, pedestrians and cyclists and access to land to the north (Ambury site) and south (OLL site) as part of the development of those areas. The location of Ambury's proposed intersections from Tahuna Road are considered to be appropriate. The form of the intersections would require consideration at consenting stage in terms of provision of access to the Ambury site and potentially to the OLL site in the future.

## 3.3 CHANGES SOUGHT BY OLL TO PWDP

OLL supports the following changes requested by Ambury in their submission and further submission:

- OLL supports Ambury's requested amendment to Objective 4.1.2 which is shown in underlined text below.
  - (a) *Future settlement pattern is consolidated in and around existing and planned towns and villages in the district.*
- OLL supports Ambury's requested amendment to Policy 4.1.3 which is shown in underlined text below.
  - (a) *Subdivision and development of a residential, commercial and industrial nature is to occur within existing and planned towns and villages where infrastructure and services can be efficiently and economically provided.*
  - (b) *Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.*

- OLL supports Ambury's requested amendment to insert a Structure Plan for Ohinewai into Appendix 13.

OLL seeks the following further changes to the PWDP:

- OLL supports Ambury's request for a new policy for Ohinewai with some changes. The following wording is based on Ambury's proposal set out in its further submission addendum dated 7 November 2019. OLL's proposed changes are shown in underlined and strikethrough text below.

#### 4.1.19 Policy - Ohinewai

- a) Ohinewai is developed to ensure:
  - (i) It is in *general accordance with the Ohinewai Structure Plan.*
  - (ii) The Rural Residential Character of Ohinewai West is maintained.
  - (iii) Large scale industrial ~~and commercial~~ development is located to the east of State Highway 1 ~~/ Ohinewai East.~~
  - (iv) Commercial development in Ohinewai East provides for factory outlet retail and small scale convenience retail and community activities.
  - (v) Residential development provides for growth, achieves a compact urban form and creates a high-quality urban environment by:
    - A. Providing a range of housing typologies, including low, medium and higher density residential development.
    - B. Implementing a high standard of urban design through lot orientation, high quality streetscapes, a high level of connectivity, an attractive interface to Tahuna Road with properties fronting the road and a well-connected green network.
  - (vi) Flood hazards and stormwater are managed to ensure that effects on sensitive land uses are mitigated.
- Changes to the Structure Plan that Ambury has proposed for Ohinewai consisting of:
  - Inserting a notation related to a 'Potential Future Residential Growth Area including Open Space' for the OLL site located between Tahuna Road and Lake Ohinewai;
  - Adding the Ohinewai Reserve;
  - Shortening the length of the residential area on the Ambury site along Tahuna Road; and
  - Removing the open space between the residential area and Tahuna Road on the Ambury site.

The changes that OLL is seeking are shown and annotated on the Structure Plan contained in **Appendix 2** of this report. Refer also to **Figure 4** below.

- Any other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of OLL.

**Figure 4** OLL Changes to Ohinewai Structure Plan



## 4.0 STAKEHOLDER INTERESTS

### 4.1 AMBURY PROPERTIES LIMITED

OLL has had numerous discussions with Ambury's consultant team to share information and to seek to ensure alignment between development plans for the Ambury and OLL land holdings (which is important given they are directly opposite one another). OLL has requested some changes to Ambury's master plan that are important to enhance urban design outcomes for the broader Ohinewai area and to achieve a suitable interface between the Ambury and OLL sites. These are:

- Changing the relationship of the development areas to Tahuna Road by ensuring that development has a positive interface and frontage to Tahuna Road rather than reverse lotting (and turning its back on it). This would require the reduction of vehicle speed along Tahuna Road to create a suitable environment for all road users, including future pedestrian crossing opportunities between the Ambury site and the Ohinewai Reserve and Lake Ohinewai.
- Shortening the length of the planned residential development along Tahuna Road so that it culminates opposite the eastern edge of OLL's site. This will ensure the residential area has less of a narrow ribbon nature and is focused closer to the planned employment areas, Ohinewai Reserve and the Expressway interchange.
- Creating a distinct Community Hub which is separate from the business land which Ambury proposes near the intersection of Tahuna Road and Lumsden Road. OLL understands that the business land is intended for a service centre and outlet retail which will be focused predominantly on passing motorists rather than the local community. OLL supports locating the Community Hub in

a central position relative to the planned residential areas on the Ambury and OLL sites.

OLL intends to continue to liaise with Ambury and its consultant team on an ongoing basis to share relevant information and work toward an integrated outcome for Ohinewai.

## 4.2 LOCAL COMMUNITY

Several further submissions have been made by members of the local community and the Ohinewai Area Committee in relation to submissions related to growth at Ohinewai. Some submitters are seeking rezoning of land for industrial and country living purposes west of the Expressway.

Differing views have been expressed in respect of the various rezoning proposals, however, matters which have been raised in submissions include ensuring an appropriate density of housing, loss of rural outlook, loss of farmland, noise from industrial activities, increase in traffic and requirements to deal with water and wastewater. Some of these matters are relevant to OLL's proposal and they are considered and addressed below.

The OLL site offers the opportunity to provide lower density housing than what Ambury has planned for its own site within an area that will offer attractive opportunities for housing due to its elevated nature, outlook over Lake Ohinewai and surrounding rural land, proximity to Ohinewai Reserve and future reserve areas adjoining the northern edge of the lake and separation from planned industrial uses. The concept master plan for the OLL site (which is contained in the Urban Design, Landscape and Visual Assessment in **Appendix 3**) is based on an average lot size of approximately 500-600m<sup>2</sup> to achieve an approximate overall yield of 235 dwellings at a density of approximately 10 dwellings per hectare. This may address some of the concerns raised in further submissions regarding the density of housing at Ohinewai.

The OLL proposal would result in the loss of approximately 39 hectares of farmland which would remove the land from productive agricultural use. The area of land is small and there are likely to be some positive environmental benefits due to the retirement of grazing land on the northern edge of Lake Ohinewai and the opportunities the future open space areas provide for ecological enhancement and recreation.

Consideration has been given to landscape and visual effects of the OLL development in the Urban Design, Landscape and Visual Assessment in **Appendix 3**. The assessment confirms that the change from rural to urban land use would bring about a substantial change to the existing character of the landscape. However, it considers that the existing landscape in the locality identified for potential growth to the east of the Expressway is not recognised for any particular landscape values, comprising relatively unremarkable rural pastoral land. Coupled with urban expansion there is also the opportunity, and imperative, for associated landscape enhancement including the potential for setting aside further land from rural land use for ecological enhancement, particularly in respect of lake water quality and habitat creation. Such retired rural land will also have associated visual and recreational amenity.

Infrastructure upgrades will be required to manage traffic (particularly across the Expressway and NIMTR) and to provide water and wastewater servicing solutions.

Further consideration is given to the local community views in Section 5.4.2 of this report in relation to the Ohinewai Blueprint.

## 4.3 WAIKATO REGIONAL COUNCIL (WRC)

WRC has made a further submission opposing OLL's submission on the basis that decisions on rezoning should be deferred until the relevant part of the Hamilton to

Auckland Corridor Plan is complete to avoid undermining the strategic planning process. As OLL has decided not to pursue rezoning of its land through the PWDP process, the outcomes of the Hamilton to Auckland Corridor Plan are likely to be known and will be able to be addressed in the future as part of any process to rezone the land.

OLL's planning and engineering consultants met with WRC staff on 22 October 2019 to provide an overview of OLL's proposal, to discuss the technical work that was underway and to seek feedback from WRC particularly regarding flood hazard related matters. An important outcome of the meeting was receipt of information from WRC that the 1% AEP flood level will be between RL 7.36m and RL 8.0m depending on the outcome of flood modelling which is underway. OLL subsequently adopted RL 8.0m as the maximum design flood level for consideration of development potential of its land holdings. WRC staff also expressed support for OLL's concept of offsetting any filling below the 1% AEP by creating equivalent capacity elsewhere within OLL's landholdings to achieve hydraulic neutrality.

An update was sent to WRC via email on 11 November 2019, including a description of OLL's proposal, plans and an invitation to provide feedback. No response has been received from WRC.

#### **4.4 FUTURE PROOF IMPLEMENTATION COMMITTEE (FUTURE PROOF)**

Future Proof lodged a further submission supporting industrial development in principle at Ohinewai but raising concerns regarding residential development on the basis that it has the potential to undermine the growth and regeneration of Huntly.

OLL is not seeking to rezone land at Ohinewai through the PWDP process, however, it is seeking amendments which recognise the future potential rezoning of the OLL site. OLL supports the creation of a mixed-use community with local opportunities for live, work and play at Ohinewai rather than an industrial node only. OLL is seeking to ensure that decisions made on the PWDP do not preclude the potential future rezoning and development of its site between Tahuna Road and Lake Ohinewai for residential activities. This is in anticipation that Ohinewai employees are likely to reside in Ohinewai as well as surrounding towns, particularly Huntly and Te Kauwhata. An assessment of this relief in relation to the Future Proof Strategy is contained in Section 5.3.2 of this report.

#### **4.5 NZ TRANSPORT AGENCY (NZTA)**

NZTA has lodged a further submission setting out that the area proposed for future urbanisation is inconsistent with the approved settlement pattern for Future Proof and that any review of the settlement pattern is best undertaken in collaboration with other forums such as the Future Proof growth partnership. NZTA also seeks that effects on surrounding transport infrastructure from rezoning must be addressed.

An assessment of this relief in relation to the Future Proof Strategy is contained in Section 5.3.2 of this report.

OLL's requested changes to the PWDP seek that the OLL site is identified as a potential future growth area in a structure plan for Ohinewai. Any rezoning of the land in the future would require further technical assessments, including a transportation assessment to consider the effects on surrounding transport infrastructure.

#### **4.6 IWI**

Waikato-Tainui lodged a further submission opposing OLL's submission in principle. However, no reasons were given for the opposition.

OLL held an initial hui on 12 November 2019 with Norm Hill who is the appointed representative for Waahi Whaanui Trust with regards to matters related to Ohinewai growth. The purpose of the hui was to introduce OLL's proposal and to identify the next steps for consultation with iwi/hapuu with interests in the local area, including Waikato-Tainui, Waahi Whaanui and Ngaa Muka Development Trust. OLL has subsequently sent a copy of the Archaeological Assessment in **Appendix 5** to Mr Hill and has made requests for further hui. It is anticipated that consultation with iwi will be ongoing.

#### 4.7 RALPH ESTATES

Ralph Estates lodged a further submission opposing OLL's submission and the rezoning of land at Ohinewai on the basis that it would effectively sterilise the mineral interests that Ralph Estates holds in relation to land within the Ohinewai area, including part of OLL's site that is within its proposed future growth area. The mineral interest in relation to the OLL land was created by a Transfer dated 5 February 1909 which provides a right to access the land, although Ralph Estates would still need to seek various resource consents to undertake extraction or associated activities. As OLL has decided not to pursue rezoning of its land through the PWDP process, this matter can be addressed in the future as part of any process to rezone the land.

#### 4.8 GENESIS

Genesis lodged a further submission noting uncertainty whether Ohinewai is being proposed for residential or industrial growth and expressing concern with any proposal for land near their ash ponds to be rezoned for urban growth. OLL has subsequently refined its requested relief to a specific site located between Tahuna Road and Lake Ohinewai. The property which is owned by Genesis (referred to as Scott Farm) is located just under 2km to the south-west of the OLL site. The ash ponds are located within the Scott Farm property, approximately 2.7km south-west of the OLL site.

#### 4.9 DEPARTMENT OF CONSERVATION (DOC) AND FISH AND GAME NZ (F&G)

DOC's further submission raises concerns with change in zoning at Ohinewai due to proximity to lakes and the potential flood hazard risk as well as the potential for a change in zoning to increase industrial contaminants flowing into Lake Waikare and Whangamarino Wetland and other adverse effects for the catchment.

F&G lodged a further submission raising concerns with the proximity of the proposed growth area in Ohinewai to sensitive wetlands and Outstanding Natural Features as well as potential effects on flood storage capacity.

Lakes Rotokawau and Waikare are both identified as Significant Natural Features under the PWDP and Lakes Ohinewai, Rotokawau and Waikare and a small area within Ohinewai Reserve are all identified as Natural Character areas. OLL's proposed future growth area does not adjoin Lakes Rotokawau and Waikare but it does adjoin Lake Ohinewai and Ohinewai Reserve. The potential exists for the natural character of Lake Ohinewai and the Ohinewai Reserve to be enhanced through the creation of an additional reserve area along the northern margin of the lake. The same potential exists with Ambury's proposed development plans with respect to Lakes Rotokawau and Waikare.

The Infrastructure Services Assessment in **Appendix 4** addresses flood storage capacity and recommends that any areas of floodplain which are filled should be offset by providing equivalent capacity elsewhere. OLL's land holdings are large and enable the potential for such an offset to be implemented to achieve hydraulic neutrality. The Infrastructure Services Assessment also identifies methods that could be used to treat

stormwater from a future residential area on OLL's site in order to manage contaminants.

## 5.0 PLANNING CONTEXT

### 5.1 RESOURCE MANAGEMENT ACT 1991 (RMA)

#### 5.1.1 SECTION 31 (FUNCTIONS OF TERRITORIAL AUTHORITIES)

Pursuant to section 74(1) of the RMA, territorial authorities are required to have regard to the functions that are set out in section 31 of the RMA. Section 31 provides:

*“Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

- a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
- b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
  - i. the avoidance or mitigation of natural hazards; and*
  - ii. [Repealed]*
  - iiia. the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
  - iiib. the maintenance of indigenous biological diversity:*
- c) [Repealed]*
- d) the control of the emission of noise and the mitigation of the effects of noise:*
- e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
- f) any other functions specified in this Act.*
- 2. The methods used to carry out any functions under subsection (1) may include the control of subdivision”.*

This report, and the accompanying reports set out in the Appendices, provide information to assist the Hearings Panel in its consideration of the matters in section 31 of the RMA. Decisions on the submissions related to Ohinewai require particular consideration of how the PWDP provisions address residential and business development capacity and avoidance and mitigation of natural hazards.

**5.1.2 SECTION 32 (REQUIREMENTS FOR PREPARING AND PUBLISHING EVALUATION REPORTS)  
AND SECTION 32AA (REQUIREMENTS FOR UNDERTAKING AND PUBLISHING FURTHER  
EVALUATIONS)**

Section 32 requires that objectives must be examined for their appropriateness in achieving the purpose of the RMA, and that provisions must be examined for their appropriateness in achieving the objectives. It states:

*“1. An evaluation report required under this Act must—*

- a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
  - i. identifying other reasonably practicable options for achieving the objectives; and*
  - ii. assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
  - iii. summarising the reasons for deciding on the provisions; and*
- c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

*2. An assessment under subsection (1)(b)(ii) must—*

- a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - i. economic growth that are anticipated to be provided or reduced; and*
    - ii. employment that are anticipated to be provided or reduced; and*
  - b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions”.*
- 3. If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
- a) the provisions and objectives of the amending proposal; and*
  - b) the objectives of the existing proposal to the extent that those objectives—*
    - i. are relevant to the objectives of the amending proposal; and*
    - ii. would remain if the amending proposal were to take effect.*
- 4. If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*

*4A. If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*



- a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
- b) *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice”.*

Section 32AA requires a further evaluation for any changes that have been made to, or are proposed for, a plan since the evaluation report for the proposal was completed. The further evaluation must be in accordance with section 32(1) to (4). A section 32AA analysis of the changes which are requested by OLL is contained in Section 6 of this report. This Planning Report and the analysis in Section 6 is considered to contain an appropriate level of detail that corresponds to the proposal in accordance with section 32(1)(c), noting that OLL is not seeking any rezoning through the PWDP.

### **5.1.3 SECTION 74 (MATTERS TO BE CONSIDERED)**

Section 74 of the RMA sets out the matters to be considered by a territorial authority when preparing or changing a district plan. Section 74(1) requires that a territorial authority must prepare and change its district plan in accordance with:

- a) *its functions under section 31; and*
- b) *the provisions of Part 2; and*
- c) *a direction given under section 25A(2); and*
- d) *its obligation (if any) to prepare an evaluation report in accordance with section 32; and*
- e) *its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and*
- ea) *a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and*
- f) *any regulations”.*

Section 74 also requires the territorial authority to have regard to the following matters in section 74(2):

*“In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*

- a) *any—*
  - i. *proposed regional policy statement; or*
  - ii. *proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
- b) *any—*
  - i. *management plans and strategies prepared under other Acts; and*
  - ii. *[Repealed]*
  - iiia. *relevant entry on the New Zealand Heritage List/Rārangī Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014; and*
  - iiib. *regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Māori customary fishing),—*  
*to the extent that their content has a bearing on resource management issues of the district; and*

- c) *the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*

Section 74(2A) also requires the territorial authority, when preparing or changing its district plan to “*take into account any relevant planning document recognised by an iwi authority and lodged with a territorial authority, to the extent that its content has a bearing on resource management issues of the district*”.

The requirements of this section have been met in the preparation of this report. Specifically:

- The need for each of the proposed provisions to assist Council to carry out its functions under Section 31 of the RMA is assessed in the Section 32AA assessment which is contained in Section 6 of this report.
- The proposed provisions are assessed against Part 2 of the RMA in Section 5.1.5 of this report.
- The proposed provisions are assessed in terms of the National Policy Statement on Urban Development Capacity in Section 5.2.2 of this Report.
- There is no proposed regional policy statement or proposed regional plan (because both the WRPS and the WRP are currently operative).
- Regard has been had to the Operative Waikato Regional Plan in Section 5.2.4 of this Report.
- Regard has been given to the following plans and strategies which have been prepared under other Acts in Sections 5.3.2 to 5.3.5 of this report in accordance with Section 74(2)(b)(i):
  - Future Proof Strategy
  - Waikato Plan
  - Waikato District Development Strategy
  - Draft Waikato District Growth and Economic Development Strategy – Waikato 2070

Consideration has also been given to progress on the Hamilton to Auckland Corridor Plan and to the Ohinewai Blueprint. However, the Corridor Plan remains a work in progress therefore it is not a plan that can be considered at present in accordance with Section 74(2)(b)(i). The Ohinewai Blueprint was not prepared under an Act and therefore it also cannot be considered in terms of Section 74(2)(b)(i).

- There are no relevant entries in the Historic Places Register.
- There are no relevant fisheries regulations.
- The Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao has been taken into account in Section 5.2.5 of this Report.

#### **5.1.4 SECTION 75 (CONTENTS OF DISTRICT PLANS)**

Section 75 of the RMA sets out what must and what may be included in a district plan. It provides:

1. “A district plan must state—
  - a) *the objectives for the district; and*

- b) the policies to implement the objectives; and
  - c) the rules (if any) to implement the policies.
2. A district plan may state—
- a) the significant resource management issues for the district; and
  - b) the methods, other than rules, for implementing the policies for the district; and
  - c) the principal reasons for adopting the policies and methods; and
  - d) the environmental results expected from the policies and methods; and
  - e) the procedures for monitoring the efficiency and effectiveness of the policies and methods; and
  - f) the processes for dealing with issues that cross territorial authority boundaries; and
  - g) the information to be included with an application for a resource consent; and
  - h) any other information required for the purpose of the territorial authority's functions, powers, and duties under this Act.
3. A district plan must give effect to—
- a) any national policy statement; and
  - b) any New Zealand coastal policy statement; and
  - ba) a national planning standard; and
  - c) any regional policy statement.
4. A district plan must not be inconsistent with—
- a) a water conservation order; or
  - b) a regional plan for any matter specified in section 30(1).
5. A district plan may incorporate material by reference under Part 3 of Schedule 1”.

The requirements of this section have been met in the preparation of this report. It is noted that:

- The proposed provisions are assessed in terms of the requirement to give effect to the National Policy Statement on Urban Development Capacity in Section 5.2.2 of this Report;
- The proposed provisions are assessed in terms of the requirement to give effect to the Operative Waikato Regional Policy Statement in Section 5.2.3 of this Report.

### **5.1.5 PART 2 (PURPOSE AND PRINCIPLES)**

Part 2 of the RMA sets out the purpose and principles of the Act. When considering changes to a district plan, a territorial authority is required by section 74 to have regard to Part 2 of the RMA. Section 32 requires the territorial authority to examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act.

## **SECTION 5**

Section 5 of the RMA states the purpose of the Act which is to promote the sustainable management of natural and physical resources. Section 5(2) defines sustainable

management and includes managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

Section 6 of this report considers whether the objectives of the proposal are the most appropriate way of achieving the purpose of the RMA in section 5 of the Act.

The proposed changes that OLL is seeking to the PWDP will ensure that the option for future expansion of Ohinewai is clearly signalled so that landowners, the community and infrastructure providers are aware of, and can plan for, that potential eventuality and respond to it.

Our view is that this is a better approach than risking foreclosing potential growth options, particularly given uncertainties such as demand for residential land at Ohinewai and practical yield on the Ambury site if the land is zoned. It also acknowledges that any consideration (and specific assessment) of the potential effects of rezoning the land would be required through a future plan change or plan review process.

## SECTION 6

Section 6 of the RMA sets out the Matters of National Importance which are as follows:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- g) the protection of protected customary rights:*
- h) the management of significant risks from natural hazards”.*

The OLL site provides future opportunities to preserve the natural character of Lake Ohinewai and its margins through the retirement of grazing land adjacent to the lake and through the potential to create a new reserve for ecological enhancement and recreation. These options would recognise and provide for the matters in section 6(a). Rezoning the site in the future would also offer opportunities to enhance public access to Lake Ohinewai in a manner consistent with section 6(d).

Lakes Rotokawau and Waikare are both identified as Significant Natural Features under the PWDP. The OLL site is not adjacent to those areas and its inclusion as a potential future growth area in the PWDP would not be inappropriate in terms of section 6(b).

There are no known areas of significant indigenous vegetation or significant habitats of indigenous fauna on the OLL site in relation to section 6(c).

An Archaeological Assessment has been undertaken in relation to the OLL site and no sites of historic heritage have been identified. Therefore, the proposal is not contrary to section 6(f). Consultation has been initiated with Maori through local iwi and haapu groups and is expected to continue throughout this PWDP process. However, at this stage there are no known issues with respect to the matters listed in section 6(e). There are no known customary rights issues with respect to section 6(g).

Natural hazard risk is a potential issue for the Ohinewai area in terms of flooding. The potential residential area within the OLL site is relatively elevated compared to some other areas within Ohinewai which was a key factor in its identification as a potential future growth area. Approximately 7ha of the potential residential area may require filling to elevate building platforms above the flood risk area to manage the natural hazard risk. OLL has identified the potential to offset areas which may need to be filled within the 1% AEP flood plain to achieve hydraulic neutrality. Implementation of these measures would be considered further if the site is rezoned in the future but are expected to be appropriate to address the requirement to recognise and provide for these risks in terms of section 6(h).

## SECTION 7

Section 7 of the RMA sets out the “other matters” that persons exercising functions and powers under the Act also must have “particular regard to”. Section 7 states:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- a) kaitiakitanga:
- aa) the ethic of stewardship:
- b) the efficient use and development of natural and physical resources:
- ba) the efficiency of the end use of energy:
- c) the maintenance and enhancement of amenity values:
- d) intrinsic values of ecosystems:
- e) [Repealed]
- f) maintenance and enhancement of the quality of the environment:
- g) any finite characteristics of natural and physical resources:
- h) the protection of the habitat of trout and salmon:
- i) the effects of climate change:
- j) the benefits to be derived from the use and development of renewable energy”.

Regard is had to the relevant matters in section 7 below.

Sections 7(a) and (aa) are being addressed through the consultation which has been initiated and will be ongoing with Maori through local iwi and haapu groups. Consideration will be given by OLL to the outcomes of the consultation as they are known.

In terms of section 7(b), the identification of the OLL site and planning for its potential future development will not change the existing use of the land. However, if the Ambury land is rezoned then the proximity of the OLL site adjacent to the zoned area and the limited other options for residential expansion in the future will make it a scarce physical resource. While it has finite soil characteristics in terms of section 7(g),

the potential exists that the future rezoning may be an efficient use and development of the resource.

The proximity of the OLL site adjacent to Lake Ohinewai and the Ohinewai Reserve offers future opportunities to enhance the amenity values of the area and the quality of the environment in a manner consistent with sections 7(c) and (f). It also provides opportunities for enhancement of ecosystems in relation to section 7(d) through the potential for land on Lake Ohinewai's margin to be retired from grazing and vested as reserve.

The effects of climate change are relevant in terms of the potential flood hazard. The adopted RL 8m flood level takes account of climate change. Therefore appropriate regard has been had to section 7(i).

## SECTION 8

Section 8 of the RMA requires *“all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”*.

OLL has initiated consultation with the relevant iwi of the area and anticipates that this will continue through this PWDP process.

## 5.2 PLANS PREPARED UNDER THE RESOURCE MANAGEMENT ACT 1991 (RMA)

### 5.2.1 INTRODUCTION

This section sets out the plans which are prepared under the RMA and are relevant considerations in terms of sections 74(1), 74(2A) and 75(3) of the Act.

### 5.2.2 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY (NPS-UDC)

Section 74(1)(ea) of the RMA requires that a territorial authority must prepare and change its district plan in accordance with any national policy statement and section 75(3) of the RMA requires that a district plan must give effect to any national policy statement.

The NPS-UDC is about recognising the national significance of urban environments and the need to enable such environments to develop and change and providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments. The NPS-UDC sets out the objectives and policies to achieve this under the headings 'Outcomes for planning decisions', 'Evidence and monitoring to support planning decisions', 'Responsive planning' and 'Coordinated planning evidence and decision making'.

One of the important considerations under the PWDP is the creation of effective and efficient urban environments which provide for people and communities and future generations to provide for their social, cultural and environmental wellbeing. There are differing views in submissions on the PWDP as well as in the various relevant plans and strategies about whether Ohinewai should be an industrial node or whether it should be a mixed use community including residentially zoned land. The Urban Design, Landscape and Visual Assessment which is contained in **Appendix 3** identifies a clear preference for a mix of uses to create an effective urban environment at Ohinewai as sought by Objective OA1:

*“OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.”*

Objective OA2 similarly supports urban environments which provide a range of opportunities and choices. Ambury has expressed a preference for developing medium density residential dwellings for its site. We consider that the OLL site is well suited to

low density residential dwellings (approximately 500-600m<sup>2</sup> lots). This would increase the range of dwelling types available to future residents of Ohinewai as sought by Objective OA2:

*“OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.”*

Policy PA1 specifies the requirements on local authorities to provide sufficient housing and business land development capacity for the short, medium and long term.

*“PA1: Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to:*

*Short term: Development capacity must be feasible, zoned and serviced with development infrastructure.*

*Medium term: Development capacity must be feasible, zoned and either:*

- serviced with development infrastructure, or*
- the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002.*

*Long-term: Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.”*

OLL is not seeking to rezone any land through the PWDP so it has not submitted a technical report addressing land development capacity. Any future plan change in respect of the OLL site will require additional supporting analysis to demonstrate why the rezoning is appropriate in terms of capacity requirements. In the interim, and in a location such as Ohinewai where there are fixed constraints such as the Expressway and surrounding natural features, it is appropriate to clearly signal the preferred option for future growth so that landowners, the community and infrastructure providers are aware and can plan for that potential eventuality and respond to it. That approach is consistent with Objective OA3:

*“OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations. “*

Other benefits of identifying the OLL site as a potential future growth location are the direction that it will provide for infrastructure capacity requirements to be considered in future decision making, the potential for more efficient delivery of necessary infrastructure due to the potential to spread the costs and the potential to limit possible adverse impacts on the competitive operation of land and development markets. These matters are all important considerations in terms of Policy PA3 which states:

*“PA3: When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:*

- a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;*
- b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and*

- c) *Limiting as much as possible adverse impacts on the competitive operation of land and development markets.”*

Other objectives and policies related to ‘Evidence and monitoring to support planning decisions’, ‘Responsive planning’ and ‘Coordinated planning evidence and decision making’ set out how territorial authorities are required to undertake regular reviews of housing and business development capacity and how they must respond. The requirements include integrated decision making in terms of infrastructure provision. Potential responses may include zoning more land which is capable of being serviced. Assuming services can be provided to Ohinewai within a 5-10 year period, the OLL site offers a well located potential growth option that will be able to integrate with that planned infrastructure.

### 5.2.3 OPERATIVE WAIKATO REGIONAL POLICY STATEMENT (WRPS)

The Waikato Regional Policy Statement (WRPS) has been operative since May 2016. The WRPS is a mandatory document that provides an overview of the resource management issues in the Waikato region, and the ways in which integrated management of the region’s natural and physical resources will be achieved.

The Proposed District Plan must give effect to the WRPS in accordance with Section 75(3) of the RMA.

The objectives and the related policies of the WRPS are relevant to the proposed future growth area and rezoning have been reviewed and they relate to a broad range of matters. The following analysis is a summary of the key provisions which are most relevant to the changes sought by OLL, particularly the provisions that relate to the Built Environment. The referenced policy provisions are contained in **Appendix 6**.

## CHAPTER 6 – BUILT ENVIRONMENT

The policies for the Built Environment are contained in Chapter 6. Objective 3.12 relates to the Built Environment. It states:

*“Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:*

- a) *promoting positive indigenous biodiversity outcomes;*
- b) *preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- c) *integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- d) *integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;*
- e) *recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
- f) *protecting access to identified significant mineral resources;*
- g) *minimising land use conflicts, including minimising potential for reverse sensitivity;*
- h) *anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*



- i) *providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;*
- j) *promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and*
- k) *providing for a range of commercial development to support the social and economic wellbeing of the region.”*

The Urban Design, Landscape and Visual Assessment in **Appendix 3** emphasises that a mix of uses is the preferred urban form for Ohinewai in order to create a strong local community. Such an approach would be consistent with the positive environmental, social, cultural and economic outcomes which Objective 3.12 seeks to achieve. This is subject to ensuring that the scale of the activities is appropriate to complement and enhance other nearby centres, including Huntly and Te Kauwhata.

In terms of Objective 3.12(a) and (b) the potential exists for positive biodiversity outcomes to be achieved and for natural character to be maintained through the creation of a reserve network adjoining the local peat lakes, including Lake Ohinewai which adjoins the OLL site.

Infrastructure provision is a key issue to enable development at Ohinewai. Transport assessments will be required to support rezoning requests in order to consider potential traffic effects and to address the matters in Objective 3.12(c) and (e) in relation to the Expressway and Tahuna Road (which are both Regionally Significant Infrastructure under the WRPS).

The Lower Waikato-Waipā Flood Control Scheme is also Regionally Significant Infrastructure under the WRPS and development is required to recognise and protect the value of it to address Objective 3.12(e). The Infrastructure Services Assessment in **Appendix 4** identifies the potential for filling below the 1% AEP to be offset by creating equivalent capacity elsewhere within OLL’s landholdings to achieve hydraulic neutrality and thereby protect the capacity and function of the flood scheme.

Further clarification on the provision of water and wastewater infrastructure for Ohinewai is expected in mid-2020 following the completion of a servicing strategy by Watercare for the corridor between Huntly and Meremere. In the meantime, it is important that information on potential demand is provided to Watercare so that it can be considered in its investigations. This approach and OLL’s requested future growth area notation for a structure plan for Ohinewai is consistent with Objective 3.12(d).

Objective 3.12(f) is relevant to the existence of mineral rights in the local area, including part of the OLL site where a right of access exists. This will be the subject of further discussion between OLL and Ralph Estates.

Objective 3.12(h) is particularly relevant to Ohinewai given the Ambury development proposal is driven by land use pressures in Auckland which have presented a specific opportunity for relocation of a large business (with subsequent employment and economic benefits) to the Waikato.

Consideration is given to specific provisions in the WRPS related to land allocation below.

## **RESIDENTIAL GROWTH ALLOCATION**

Policy 6.14 relates to adopting the Future Proof land use pattern.

Table 6-1 sets out the Future Proof residential growth allocation and staging between 2006 and 2061. The following provisions are relevant to consideration of growth at Ohinewai:

- Allocated growth for 'Waikato Rural Villages' (which includes Ohinewai) is from 6,725 residents in 2006 to 15,775 residents in 2061.
- Allocated growth for Huntly is from 6,915 residents in 2006 to 12,275 residents in 2061.
- Allocated growth for Te Kauwhata is from 1,020 residents in 2006 to 7,675 residents in 2061.

It is therefore clear that growth of residential activities (as well as industrial business land) at the scale which is now being contemplated at Ohinewai is not within the growth allocations set out in Table 6-1. The alternative land release provisions in the WRPS would need to be considered for any residential rezoning proposed (including any future rezoning sought by OLL if these allocations remain as they are currently).

### **ALTERNATIVE LAND RELEASE PROVISIONS**

Policy 6.14(a) sets out that new urban development within the range of settlements listed shall occur within the Urban Limits for those settlements. There are no Urban Limits for Ohinewai in Map 6-2 of the WRPS.

Policy 6.14(b) sets out that new residential development shall be managed in accordance with the timing and population for growth areas in Table 6-1. Policy 6.14(c) sets out that new industrial development should predominantly be in the strategic industrial nodes in Table 6-2 and in accordance with the indicative timings in that table.

Policy 6.14(g) requires that where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern. Implementation Method 6.14.3 refers to the criteria for alternative industrial or residential land release. The criteria are:

*“District plans and structure plans can only consider an alternative residential or industrial land release, or an alternative timing of that land release, than that indicated in Tables 6-1 and 6-2 in section 6D provided that:*

- b) to do so will maintain or enhance the safe and efficient function of existing or planned infrastructure when compared to the release provided for within Tables 6-1 and 6-2;*
- c) the total allocation identified in Table 6-2 for any one strategic industrial node should generally not be exceeded or an alternative timing of industrial land release allowed, unless justified through robust and comprehensive evidence (including but not limited to, planning, economic and infrastructural/servicing evidence);*
- d) sufficient zoned land within the greenfield area or industrial node is available or could be made available in a timely and affordable manner; and making the land available will maintain the benefits of regionally significant committed infrastructure investments made to support other greenfield areas or industrial nodes; and*
- e) the effects of the change are consistent with the development principles set out in Section 6A.”*

The Explanation to Policy 6.14 includes the following discussion regarding Method 6.14.3:

*“Method 6.14.3 provides for some flexibility in the staged release of residential and industrial land while ensuring that the relevant growth management principles established in the Future Proof growth strategy are not compromised. The method provides an opportunity for district plans and structure plans to refine Table 6-2. The importance of Table 6-2 to the efficient integration of land use and infrastructure in the Future Proof sub-region is such that alternative land release is only expected to occur where comprehensive and robust evidence has been provided to satisfy the criteria in Method 6.14.3”.*

Section 6A contains the development principles for new development which are referred to in Method 6.14.3(e). The Explanation to Policy 6.1 provides useful guidance on the principles in Section 6A. It states:

*“Section 6A includes a set of principles to guide future development of the built environment within the Waikato region. These principles are not absolutes and it is recognised that some developments will be able to support certain principles more than others. In some cases, certain principles may need to be traded off against others. It is important, however, that all principles are appropriately considered when councils are managing the built environment ...”*

OLL’s requested changes do not seek to rezone any land at Ohinewai through the PWDP. Identifying land as having the potential for future growth does not constitute land release and therefore the alternative land release provisions do not need to be addressed with respect to OLL’s site in order for the land to be identified as a potential future growth area.

Provisions in a district plan which signal potential future growth intent that is not aligned with the WRPS land allocations is not without precedent in the Waikato region. An example is the Operative Waipa District Plan which contains a map and supporting text identifying potential future industrial growth around the Hamilton Airport which would be in excess of the WRPS allocations for the growth node if it were rezoned<sup>4</sup>. Including such provisions does not constitute a commitment to rezone the land and any future rezoning would be subject to consideration of the WRPS provisions as they exist at the time that a plan change or plan review is advanced.

Future Proof is due to be reviewed in 2020 (part of the purpose of the review is to incorporate the outcomes of the Hamilton to Auckland Corridor Plan) and a review of the WRPS is likely to follow to incorporate any necessary changes. It is therefore highly likely that any rezoning to be considered for the OLL site through a plan change or plan review in the future would be assessed in relation to an updated or new iteration of the WRPS. In our view, assessing the potential for residential activities on the OLL site against the alternative land release criteria in the current WRPS is not required as part of this process. It would be required as part of any future plan change or plan review process if the land allocations set out in Future Proof remain the same at that time.

The density targets for the Future Proof area are contained in Policy 6.15 and are 8-10 households per hectare in Waikato District rural villages where sewerage is reticulated and 12-15 dwellings per hectares for greenfield development in towns including Huntly and Te Kauwhata. It is important to note that these figures are average gross density targets, allowing for higher and lower densities in certain areas to reflect specific location and site characteristics.

The concept which has been prepared for the OLL site and is contained in the Urban Design, Landscape and Visual Assessment in **Appendix 3** achieves a density of approximately 10 dwellings per hectare. Relevantly, Ambury’s proposal is for much denser housing (approximately 33 dwellings per hectare)<sup>5</sup> to promote housing affordability and therefore the average density for the wider Ohinewai area would be higher than the density for the OLL site alone. The combined density for the Ambury and OLL sites would be approximately 24 dwellings per hectare which is higher than the average gross density targets in the WRPS.

## CHAPTER 11 – INDIGENOUS BIODIVERSITY

Objective 3.16 relates to Riparian Areas and Wetlands. It states:

*“Riparian areas (including coastal dunes) and wetlands are managed to:*

<sup>4</sup> Operative Waipa District Plan, Appendix S1 – Future Growth Cells

<sup>5</sup> Sleepyhead Estate Masterplan Summary (July 2019), pg 10

- a) maintain and enhance:
  - i) public access; and
  - ii) amenity values.
- b) maintain or enhance:
  - i) water quality;
  - ii) indigenous biodiversity;
  - iii) natural hazard risk reduction;
  - iv) cultural values;
  - v) riparian habitat quality and extent; and
  - vi) wetland quality and extent.”

Objective 3.19 relates to Ecological Integrity and Indigenous Biodiversity. It states:

*“The full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.”*

Policy 11.1 relates to maintenance and enhancement of indigenous biodiversity. It has a focus of “working towards achieving no net loss of indigenous biodiversity at a regional scale”. The re-creation and restoration of habitats and connectivity between habitats, supporting (buffering and/or linking) ecosystems, habitats and areas identified as significant indigenous vegetation and significant habitats of indigenous fauna and contribution to natural character and amenity values are also identified as focuses.

Policy 11.2 relates to the protection of significant indigenous vegetation and significant habitats of indigenous fauna.

Policy 11.3 recognises that an integrated and collaborative approach is required to maintaining and enhancing indigenous biodiversity.

The potential future growth area offers opportunities to enhance indigenous biodiversity and natural character through an area of expanded open space to the north of Lake Ohinewai, which would complement the existing Ohinewai Reserve and the ecological enhancement planting already undertaken around the lake’s margins. There are several parties who would have interests in this area and a collaborative approach to its enhancement will be important. The potential exists for a future reserve to the north of Lake Ohinewai (comprising land also owned by OLL) to form a corridor of open space between Lakes Ohinewai, Rotokawau and Waikare.

## **CHAPTER 12 – LANDSCAPE (INCLUDING SEASCAPE), NATURAL CHARACTER AND AMENITY**

Objective 3.21 relates to Amenity. It states:

*“The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.”*

Objective 3.22 relates to Natural Character. It states:

*“The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development.”*

Objective 3.23 relates to Public Access. It states:

*“Public access to and along the coastal marine area, lakes and rivers is maintained and enhanced.”*

Policy 12.2 relates to preservation of natural character, Policy 12.3 relates to maintenance and enhancement of areas of amenity value and Policy 12.4 relates to maintenance and enhancement of public access. The area of the OLL site adjacent to Lake Ohinewai has already been modified through its use for agriculture and the potential growth area creates an opportunity to retire land from grazing and enhance its ecological function to improve the quality of the environment and enhance amenity values and public access to the lake.

### CHAPTER 13 – NATURAL HAZARDS

The key natural hazard for the Ohinewai area is flooding following large rain events or at times when the floodgates for the Lower Waikato-Waipā Flood Control Scheme are opened as a measure to manage water levels in the Waikato River.

Objective 3.24 relates to Natural Hazards. It states:

*“The effects of natural hazards on people, property and the environment are managed by:*

- a) increasing community resilience to hazard risks;*
- b) reducing the risks from hazards to acceptable or tolerable levels; and*
- c) enabling the effective and efficient response and recovery from natural hazard events.”*

Policy 13.1 relates to the natural hazards risk management approach. An integrated and holistic approach is required to ensure that risk from natural hazards does not exceed an acceptable level, to protect health and safety and to avoid the creation of new intolerable risk. Community resilience is to be enhanced and natural systems must be recognised with a ‘whole of system’ approach taken using the best available information and adopting best practice methods.

Policy 13.2 seeks to manage activities to reduce the risks from natural hazards. Implementation Method 13.2.1 directs that district plans shall control subdivision to avoid creating demand for new structures within identified high risk flood zones and identified primary hazard zones. Implementation Method 13.2.5 sets out that regional and district plans shall ensure that use and development within high risk flood zones is appropriate by avoiding the placement of structures or development where these would be vulnerable to a natural hazard event or would place a community at intolerable risk.

The following definitions in the WRPS are relevant.

*“High risk flood zones – land that is subject to river or surface flooding during an event with an annual exceedance probability of no more than one per cent, and during such an event:*

- (i) the depth of flood waters exceeds one metre;*
- (ii) the speed of flood waters exceeds two metres / second; or*
- (iii) the flood depth multiplied by the flood speed exceeds one.”*

*“Primary hazard zone – an area in which the risk to life, property or the environment from natural hazards is intolerable.”*

An intolerable risk is addressed in the definition of Natural Hazard Risk as being a “risk which cannot be justified and risk reduction is essential e.g. residential housing being developed in a primary hazard zone”.

The residential extent of the potential future growth area on the OLL site consists of land which is largely above the adopted 1% AEP flood level of RL 8m. The land within the OLL site that is below RL 8m is not subject to any of the criteria listed in (i) to (iii) of the definition for ‘High Risk Flood Zone’. This means that the OLL site is not a ‘High Risk Flood Zone’ as per the definition contained in the WRPS. It is also not a ‘Primary Hazard Zone’.

Implementation Method 13.2.6 sets out that regional and district plans shall ensure that subdivision, use and development can only occur in a floodplain with an annual exceedance probability of 1% (where the floodplain does not match the definition of being a High Risk Flood Zone) where certain criteria have been met. They include:

- (i) *appropriate assessment of the risks has been undertaken and these risks will not exceed acceptable levels;*
- (ii) *appropriate assessment of the likely effects has been undertaken, including the effects of any new structure or fill on the diversion of overland flows or any consequential increased runoff volumes;*
- (iii) *the creation of a new, or exacerbation of an existing hazard, including those off site, and any adverse effects are avoided, remedied or mitigated;*
- (iv) *any adverse effects of a 1% annual exceedance probability flood event on habitable buildings are avoided or mitigated;*
- (v) *has been designed and located to minimise the level of coastal hazard risk over its intended lifetime; and*
- (vi) *any hazardous substance stored as part of the development, or during the construction, or found on or near to the site, will not create a hazard ...*

In relation to the criteria, a preliminary assessment of the risks of flooding of land that is below the adopted 1% AEP flood level of RL 8m has been undertaken in the Infrastructure Services Assessment in **Appendix 4** which recommends that the extent of the residential land within the OLL site which is below RL 8m (approximately 7 hectares) should be filled to RL 8m to mitigate potential adverse effects by ensuring that the residential area is not at risk of flooding. It also recommends that the filled area should be offset to create additional capacity within the flood scheme elsewhere on land owned by OLL to achieve hydraulic neutrality.

Implementation Method 13.2.7 relates to residual risk zones and sets out that district plans shall identify these areas and control subdivision, use and development within them so that residual risk is minimised. Residual Risk Zone is defined in the WRPS as “an area subject to residual risk – that is the area that would be at risk from a natural hazard event but for a structural defence”. The area of the OLL site that is below RL 8m is currently a residual risk area because it’s potential for flooding is controlled by the Waikato River stopbanks and floodgates. However, land which is located above RL 8m is not subject to residual risk and provided residential areas meet that minimum level (either through existing topography or proposed filling) then risks due to a potential structural failure of the flood protection works will be avoided.

As OLL has decided not to pursue rezoning of its land through the PWDP process, this matter can be fully addressed in the future as part of a plan change process. But it’s important to note now, as part of this process, that it is feasible for OLL to achieve this policy direction and implementation methods.

#### **5.2.4 OPERATIVE WAIKATO REGIONAL PLAN**

Section 75(4)(b) of the RMA requires that a district plan must not be inconsistent with a regional plan.

The Waikato Regional Plan (WRP) provides direction regarding the use, development and protection of natural and physical resources in the Waikato region. The WRP contains modules covering Matters of Significance to Māori, Water, River and Lake Beds, Land and Soil, Air, and Geothermal Resources. The WRP applies across the Waikato region and was made operative in September 2007.

WRP maps identify that there is a drain that runs along the southern edge of the OLL site between Lake Ohinewai and Lake Rotokawau which carries an Indigenous Fish Habitat classification. The drain will not require modification if the OLL site is developed in the future.

Resource consents would be likely to be required under the WRP to develop the OLL site for residential land use, including consent to discharge of stormwater from an urban area exceeding one hectare and land use consent for development earthworks.

### **5.2.5 WAIKATO-TAINUI ENVIRONMENTAL PLAN, TAI TUMU, TAI PARI, TAI AO**

The Waikato-Tainui Environmental Plan sets out a Waikato-Tainui perspective on the management of effects particularly the issues, objectives, policies and methods associated with natural resources and environmental management that apply across the Waikato-Tainui rohe/tribal boundaries.

This is a relevant planning document as referred to in section 74(2A) of the RMA which requires a local authority to take into account any relevant planning document recognised by an Iwi Authority and lodged with the local authority, to the extent that its content has a bearing on the resource management issues of the district, when preparing or changing a district plan.

#### **CONSULTATION**

The Plan describes a general process for consultation and engagement with Waikato-Tainui. It is noted that undertaking an agreed consultation and engagement process is recommended at early stages to clarify areas of disagreement and to resolve any issues. Consultation has been initiated with iwi and further meetings are in the process of being arranged to discuss the proposal and the process of engagement in accordance with the process outlined in the Plan. Iwi consultation has been initiated with the following groups:

- Waikato-Tainui;
- Waahi Whaanui Trust; and
- Ngaa Muka Development Trust.

#### **OBJECTIVES AND POLICIES**

It is expected that resource management, uses and activities occur in a manner consistent with the relevant sections of the Plan. These are intended to provide guidance, based on Waikato-Tainui values and knowledge, to promote sustainable management of natural, physical, and cultural resources.

Implementing these policies and methods will require on-going engagement and consultation with Waikato-Tainui and hapuu. From an initial review it appears that there are various sections in the Plan relevant to the proposal, including the following:

- An indication of current and future marae and papakaainga development plans and aspirations is likely to be provided at the time of iwi consultation.
- Access will need to be considered to enable iwi to undertake customary activities, particularly to the surrounding lakes. These are also encouraged to be protected and enhanced through specific mechanisms such as the creation of esplanade reserves and private access agreements. There is good potential to enhance access to Lake Ohinewai if OLL's site is rezoned in the future.
- There is significant emphasis on landscape planning which will need to focus on protecting and enhancing indigenous biodiversity and natural heritage. OLL's

site has the potential to incorporate significant landscaping to achieve positive ecological outcomes along the northern margin of Lake Ohinewai.

- Managing waahi tapu and waahi tuupuna sites will need to be considered, particularly through ensuring appropriate guidelines and protocols are in place for taonga discovery, archaeological sites, and sites of significance. An Archaeological Assessment has been completed for the OLL site and no archaeological sites have been identified that would preclude the identification of the OLL site as a future growth area.
- There is emphasis placed on risk management regarding natural hazards and the effects of climate change. The Plan outlines that land use and development should not occur in a way that increases natural hazards. This is an important consideration for development at Ohinewai. The area of the OLL site that has been identified as having the potential for future residential development is largely elevated land. Options for offsetting to achieve hydraulic neutrality have been identified for future consideration.
- A holistic integrated catchment approach has been adopted where integrated catchment management plans are encouraged in areas where floodplain and drainage management is required.
- Water quality and allocation is a significant issue identified in the Plan where the aspiration is for fresh water to be drinkable, swimmable and fishable in all places and some areas are not to be allocated. Consideration will be required as to how water and stormwater will be managed particularly how water may directly or indirectly discharged to the surrounding water bodies. Potential stormwater treatment methods have been identified in the Infrastructure Services Assessment in **Appendix 4** with a focus on low impact systems.
- The effective management of soil erosion and land contamination, which are encouraged to be managed effectively through appropriate erosion and sediment control measures, reforestation and retirement of marginal lands. Erosion, nutrient leaching, and runoff around the surrounding lakes will be of particular importance during development. The retirement of land adjacent to Lake Ohinewai from grazing is likely to have benefits in this regard.
- The Plan encourages the use of development principles which enhance the environment and provide environmental, cultural, spiritual and social outcomes that are positive.
- Waikato-Tainui are currently being engaged. At this stage, infrastructure development, upgrade, and maintenance will need to be discussed to ensure infrastructure servicing for Ohinewai is in alignment with this Plan and any relevant Joint Management Agreements.

### **5.3 PLANS AND STRATEGIES PREPARED UNDER OTHER ACTS**

#### **5.3.1 INTRODUCTION**

This section sets out the plans which are prepared under Acts other than the RMA and are relevant considerations in terms of Section 74(2)(b)(i). All of the plans referred to below were prepared in accordance with the Local Government Act 2002.

#### **5.3.2 FUTURE PROOF STRATEGY**

The Future Proof Strategy is a 30-year growth management and implementation plan specific to the Hamilton, Waipa and Waikato sub-region. Future Proof provides an overall



framework for aligning the plans and strategies of organisations that deal with growth along with other local and central government agencies.

Future Proof was originally completed in 2009. A review of Future Proof began in 2015 and a Phase 1 update was completed in November 2017. The focus of the Phase 1 update was on growth management principles. A Phase 2 update to Future Proof is expected to be undertaken in 2020 for the purposes of addressing the requirements of the NPS-UDC and the Government's Urban Growth Agenda, including the outcomes of the Hamilton to Auckland Corridor Plan. It is expected that the update will also take into account the Ohinewai Blueprint and the Waikato District Growth and Economic Development Strategy (Waikato 2070) which have both been prepared since the previous revision to the Future Proof Strategy.

Development of industrial business and residential land is not anticipated at Ohinewai specifically under the current Future Proof Strategy.

Section 7.2 of the Strategy relates to the allocation of residential land within the sub-region. The allocation does not factor in Ambury's employment growth plans at Ohinewai which potentially represent a significant change in demand for residential housing in the local area as Ambury's plans were not in the public realm at the time of the Phase 1 update. Despite this, Table 3 anticipates insufficient housing supply in Huntly in the period 2016-2025 but it anticipates that supply will be sufficient to meet demand in the periods 2026-2035 and in 2036-2045. The anticipated supply of houses in Te Kauwhata significantly exceeds demand in all periods to 2045.

Section 7.4 of the Strategy relates to the allocation of industrial business land within the sub-region. The allocation does not factor in Ambury's employment growth plans at Ohinewai which potentially represent a significant change in demand for industrial business land in the local area, again as these plans were not in the public realm at the time of the Phase 1 update.

Table 5 contains industrial land allocations which include 23 hectares for Huntly and Rotowaro consisting of 8 hectares for Huntly in each of the periods 2010-2021 and 2021-2041 and 7 hectares in the period 2041-2061. These represent significant shortfalls relative to the requirements to relocate The Comfort Group's activities from Auckland to Ohinewai. The Strategy notes that *"consideration will be given to potential future employment hubs to cater for the growth in northern Waikato, such as Meremere"*<sup>6</sup> and that the Future Proof industrial land allocations (which are as per Table 6-2 in the WRPS) *"will be subject to change as part of Phase 2 of the Strategy Update"*.

Section 7.5 is titled 'A Responsive Approach to Development'. It recognises that predicting trends is inherently difficult, that unforeseen circumstances can influence the demand for land supply and that the Future Proof Settlement Pattern needs to be agile enough to respond to change in response to factors such as changes in markets, changes in migration, and central government interventions in urban land use policy. It states:

*"With so many factors potentially influencing growth, the Future Proof Settlement Pattern needs to be agile enough to respond to change. A settlement pattern that has some built-in responsiveness provides an ability to capitalise on previously unidentified or emerging opportunities that have potential to contribute significant economic, social or cultural benefits to our communities."*<sup>8</sup>

The Strategy identifies that in considering proposals for change it is critical that the guiding principles that underpin the Strategy are not compromised.

<sup>6</sup> Future Proof Strategy, November 2017, Section 7.4, pg 38

<sup>7</sup> Future Proof Strategy, November 2017, Section 7.4, pg 38

<sup>8</sup> Future Proof Strategy, November 2017, Section 7.5, pg 40

*“A robust evidential basis for such changes will be needed in any given circumstance and will include the need to consider any implications that might exist for the wider sub-region. It is expected that in addition to the guiding principles, any proposals for change will, at a minimum, take into account:*

- Consistency with the Future Proof Strategy guiding principles and other statutory planning documents.*
- Any proposal for change to land use or agreed timing and staging enables the Future Proof Partners to give effect to their NPS-UDC objective and policy requirements.*
- Existing or committed public and private sector investments in land development and infrastructure. Development must be shown to be adequately serviced without undermining committed infrastructure investments made by Council to support other growth areas.*
- The efficient and safe use of existing or planned infrastructure.*
- Sustainable provision and funding of existing and future infrastructure. Development must be co-ordinated with the provision of infrastructure including utility services, and integrated with the transport network. The provision of infrastructure must take into account available or planned network capacity.*
- Efficient use of local authority and central government financial resources.*
- The ability for a developer to be able to pay for the necessary infrastructure.*
- The compatibility of any proposed land use with adjacent land uses.*

*Proposals for change will be implemented through the RPS as well as at district council level through tools such as structure planning, master planning, plan changes, or Special Housing Area processes.”<sup>9</sup>*

The guiding principles are listed in Section 1.3 of the Strategy. The following guiding principles are of relevance to future growth at Ohinewai:

**Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit**

- Recognise the importance of the Future Proof sub-region within the wider Waikato Region and the upper North Island.
- Ensure the sub-region’s towns and villages retain their individual and distinct identities with thriving town centres that support people to live, work, play, invest and visit.
- Promote increased densities in new residential development and more intensive redevelopment of existing urban areas.
- Encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.
- Ensure commercial and industrial development is located in selected sub-regional areas and that it is not located where it undermines the areas of influence of the Hamilton Central City, Cambridge, Te Awamutu, Pokeno, Tuakau, Te Kauwhata, Horotiu, Ngaruawahia, Raglan and Huntly.
- Provide housing and lifestyle choice within defined locations, including papakāinga, with greater emphasis on good urban design outcomes. Where possible, respond to government policies on land supply and housing affordability.

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<sup>9</sup> Future Proof Strategy, November 2017, Section 7.5, pg 40

- Maintain the separation of urban areas by defined and open space and effective rural zoning.
- Recognise and provide for the growth of urban areas and villages within indicative urban and village limits.
- Support existing commercial centres, towns and villages within the sub-region so these places remain vibrant and valued.

#### **Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity**

- Ensure that the settlement pattern generally avoids as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems; maintain or enhance landscape values; and, promotes positive indigenous biodiversity outcomes and protects significant indigenous vegetation and significant habitats of indigenous fauna.
- Maintain, enhance and create important ecological areas and corridors for the protection and enhancement of indigenous biodiversity.
- Give effect to the Vision and Strategy for the Waikato River by restoring the health and well-being of the Waikato and Waipa Rivers, including adopting an integrated management approach.

#### **Affordable and Sustainable Infrastructure**

- The staging and timing of the settlement pattern will align with the partners' long-term infrastructure strategies and that of any potential waters Council Controlled Organisation (CCO), as well as NZ Transport Agency plans.
- Encourage development in established settlements to support existing infrastructure.
- Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation.
- Ensure development is planned to support safe and efficient transport infrastructure, including public transport provision and reduced dependence on motor vehicles.
- Recognise the need for stronger links between land-use and transport in respect of the settlement pattern and ensure capacity is matched with development potential.

#### **Sustainable Resource Use**

- Protect versatile and quality farmland for productive purposes through the provision of limited rural lifestyle development around existing towns and villages and encouraging a more compact urban footprint.
- Ensure development is directed away from potential and known hazard areas as well as areas suited to energy generation and transmission, and important mineral resources (including sand and aggregate) and access routes to these resources.
- Ensure that planning for the future use of water maintains or improves water quality and promotes efficient use.
- Promote planning for an energy efficient, low carbon emissions, sustainable environment.

#### **Tāngata Whenua**

- Ensure that the values, principles, aspirations, roles and responsibilities and the place of tāngata whenua are reflected and incorporated into Strategy governance and implementation.

- Recognise the unique relationship that *tāngata whenua* have with the *whenua awa*, *moana*, *maunga*, *taiao katoa*: the land, waterways, ocean, mountains, wider environment and other people in the sub-region. This includes, but is not limited to, the practice of *kaitiakitanga*.

Ambury's request to rezone land at Ohinewai relate to a specific opportunity to establish a large new manufacturing base for their business operations which represents a significant opportunity for the Waikato region at a scale which was not anticipated in the Huntly/Ohinewai area at the time when Future Proof was last reviewed. It is an example of a previously unidentified emerging opportunity that has potential to contribute significant economic, social or cultural benefits to communities within the Ohinewai and Huntly area. The Strategy clearly identifies that it has built-in responsiveness to deal with such matters, subject to their consideration through a robust evidential basis. OLL has been advised by Ambury's consultant team that it is preparing a broad ranging evidential basis related to its proposed development and rezoning.

The recognition within Future Proof of the need for agility is generally consistent with the approach that is also taken in the WRPS which includes alternative land release provisions and subject to consideration of development principles.

In our view, OLL's request related to its potential future growth area to accommodate residential development is complementary to Ambury's proposal based on the information that is currently known about Ambury's development plans. It is likely that any rezoning of OLL's land would occur following the scheduled update to Future Proof at which time the settlement pattern for Ohinewai is likely to have been subject to further consideration and refinement.

The policy provisions referenced above are contained in **Appendix 6**.

### 5.3.3 WAIKATO PLAN

The Waikato Plan is an overarching strategic document for the whole of the Waikato region and was adopted by partner councils in August 2017. The aim for the Waikato is "to build champion communities, together"<sup>10</sup>. The Plan identifies the priorities and actions that are critically important for the region and incorporates the work undertaken as part of Future Proof.

The North Waikato is identified as a significant growth area, and as such, the Plan outlines that proactive planning is required. This is to be achieved primarily through the priority to plan for population change through collaboration on a Regional Development Strategy. Te Waka is Waikato's regional economic development agency<sup>11</sup>. Formally established on 6 July 2018, Te Waka is a business-led and governed organisation established to drive economic growth in the Waikato. It focuses on supporting the economic priorities in the Waikato Plan, which is outlined in the Waikato Regional Economic Development Programme (2018 – 2022) launched on 14 November 2018<sup>12</sup>.

Enabling housing choice and integrated settlement is an outcome sought by the Plan. Ambury is proposing medium density housing with a high proportion of attached housing and a density of approximately 33 dwellings per hectare<sup>13</sup>. The OLL site is well suited to provide lower density housing as part of an integrated mixed use community at Ohinewai. The concept for the OLL site is based on approximately 500-600m<sup>2</sup> lots at a density of approximately 10 dwellings per hectare. Housing on the OLL site is likely to be detached.

<sup>10</sup> The Waikato Plan, August 2017, pg10

<sup>11</sup> Te Waka Annual Report 2019, pg 4

<sup>12</sup> [https://www.tewaka.nz/site\\_files/18710/upload\\_files/985\\_TeWaka\\_Annual-Report\\_web.pdf?dl=1](https://www.tewaka.nz/site_files/18710/upload_files/985_TeWaka_Annual-Report_web.pdf?dl=1)

<sup>13</sup> Te Waka Waikato Regional Economic Development Programme 2018-2022,

<sup>13</sup> Sleepyhead Estate Masterplan Summary (July 2019), pgs 4 and 10

Building regional and local identity and providing for sports, recreation, arts & cultural activities is also an outcome of the Plan. The OLL site provides future opportunities to preserve the natural character of Lake Ohinewai and its margins and to enhance ecological and recreation linkages between the local peat lakes.

Partnering with Iwi/Māori through working collaboratively to develop and encourage enduring partnerships that enable Iwi/Māori aspirations to be achieved is another priority. Consultation has been initiated with Iwi/Māori through local iwi and haapu groups and will be ongoing. Consideration will be given by OLL to the outcomes of the consultation as they are known.

Addressing water allocation and quality through a range of focus areas has been emphasised. Potential stormwater treatment methods have been identified in the Infrastructure Services Assessment in **Appendix 4** with a focus on low impact systems. The retirement of land adjacent to Lake Ohinewai from grazing and additional open space is likely to have water quality benefits.

The Plan is also focused on advancing regional economic development. In that respect, the Plan is broadly aligned to the opportunities that exist at Ohinewai due to Ambury's plans to relocate their business from Auckland to the Waikato which is a key part of the growth proposition for Ohinewai.

### 5.3.4 WAIKATO DISTRICT DEVELOPMENT STRATEGY

The Waikato District Development Strategy (DDS) was prepared in 2015 to replace and update two existing growth strategies, being the Waikato District Growth Strategy (2009) and the Franklin District Growth Strategy (2008). The DDS provides a high level 30 year strategic and spatial development guide for the district.

A key urban outcome sought by the DDS is to focus future urban development in and around the district's existing towns. Structure plans are expected to guide urban land and infrastructure to support areas experiencing both population and business growth pressures<sup>14</sup>. OLL's submission identifies the importance of structure planning to the consideration of growth options at Ohinewai.

The DDS anticipates that the north of the Waikato District is likely to continue to be affected by the spill-over effects of the ongoing southward growth of Auckland. The completion of the Waikato Expressway is anticipated to create significant changes for existing towns. Anticipated changes near the Ohinewai area under the DDS include the enhancement of east to west connections from the Expressway. Ohinewai is otherwise not specifically addressed in the DDS, however, Huntly and Te Kauwhata are identified as attractors with key relationships with each other, as well as Hamilton, and Auckland<sup>15</sup>.

Urban residential and business growth associated with Auckland's overspill is expected to spread as far as Tuakau and southwards to Te Kauwhata. The DDS recognises that there may be greater pressure than currently projected to accommodate additional future urban development in the North Waikato.

The DDS identifies that a key rural outcome is to plan for a loss of some productive land to urban development in the north Waikato and around Hamilton in accordance with growth related structure plans<sup>16</sup>. This outcome aligns with OLL's proposed structure planning approach. Furthermore, the area of land that may be subject to future growth

<sup>14</sup> Waikato District Development Strategy, September 2015, pg 25  
[https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/strategies/waikato-district-development-strategy---final-report.pdf?sfvrsn=16c4b6c9\\_6](https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/strategies/waikato-district-development-strategy---final-report.pdf?sfvrsn=16c4b6c9_6)

<sup>15</sup> Waikato District Development Strategy, September 2015, pg 6-10

<sup>16</sup> Waikato District Development Strategy, September 2015, pg 26

is small in the context of a loss of productive land, and there are likely to be some positive environmental and recreational benefits due to the retirement of grazing land on the northern edge of Lake Ohinewai which aligns with the key outcomes of the DDS.

### 5.3.5 DRAFT WAIKATO GROWTH AND ECONOMIC DEVELOPMENT STRATEGY – WAIKATO 2070

The Draft Waikato District Growth and Economic Development Strategy (Waikato 2070) was released by Waikato District Council on 13 November 2019 for consultation and submissions. The submission period closes on 17 January 2020 and hearings are planned to be held in March 2020.

The Introduction to Waikato 2070 explains that the strategy “provides a long-term plan to achieve the Council’s vision of creating and nurturing liveable, thriving and connected communities”. It goes on to state that “it combines economic and community development aims with future land use and infrastructure planning and growth patterns”<sup>17</sup>.

The Strategy is intended to implement and give life to the District Blueprints and to help to deliver the Future Proof Growth Strategy and spatial plans developed through the Hamilton to Auckland Corridor Plan. It is understood that a spatial plan is currently being developed for Huntly and Surrounds by Waikato District Council (although the outcomes are not known yet).

#### HUNTLY AND OHINEWAI DEVELOPMENT PLAN

The Huntly and Ohinewai Development Plan forms part of the Draft Waikato 2070 document and it identifies Ohinewai as a location for industrial activity. Two industrial clusters are shown at Ohinewai on the Development Plan (refer to **Figure 5**), including one cluster on the Ambury site with frontage to Tahuna Road, Lumsden Road and Balemi Road (the Ohinewai South Industrial Cluster) and one cluster north of Balemi Road with frontage to Balemi Road and Lumsden Road (the Ohinewai North Cluster).

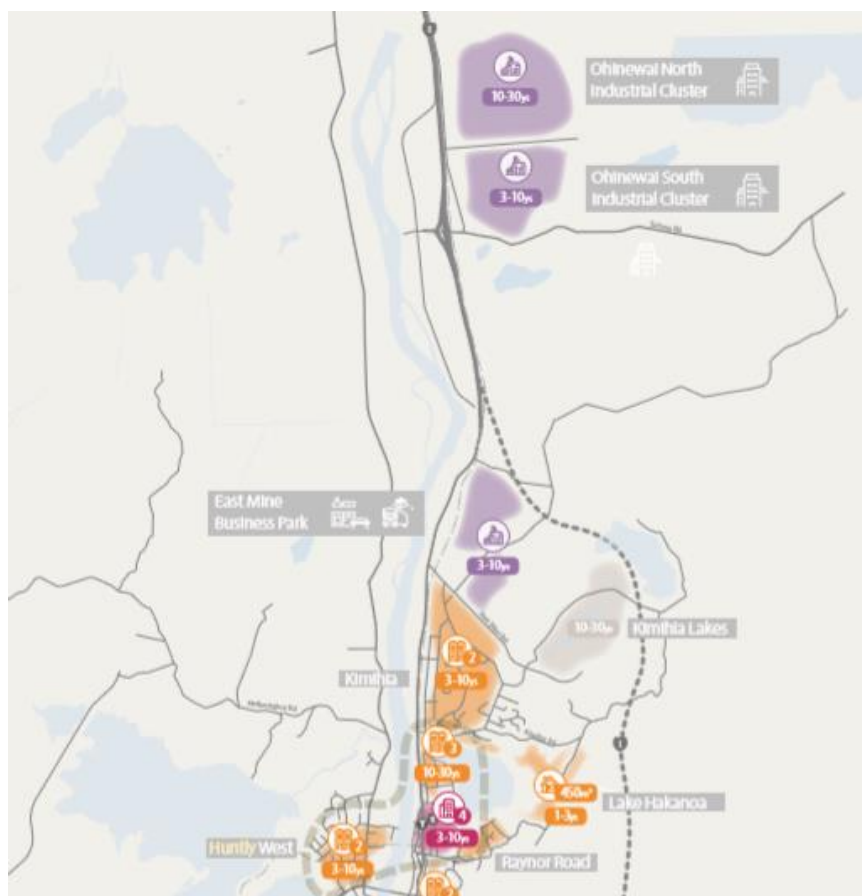
The Ohinewai South Cluster has a timeframe of 3-10 years and the Ohinewai North Cluster has a timeframe of 10-30 years. No figures are given regarding the area of the industrial clusters but the size and location shown for the Ohinewai South Cluster seems to align with Ambury’s proposed industrial development area which is 66 hectares. The Ohinewai North Cluster seems to be even larger.

No supporting residential or business land is identified at Ohinewai in the Huntly and Ohinewai Development Plan. It is understood that the Council’s intention is for Ohinewai to function as an industrial node with the residential demand associated with the additional development being accommodated in Huntly and Te Kauwhata in particular. The Huntly town centre and Huntly West has been identified as a priority growth and investment zone.

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<sup>17</sup> Waikato 2070 Draft Growth and Economic Development Strategy, November 2019, pg 4  
[https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/public-consultations/waikato-2070/draft-waikato-2070-final-for-consulting-13-november---17-january.pdf?sfvrsn=d65984c9\\_4](https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/public-consultations/waikato-2070/draft-waikato-2070-final-for-consulting-13-november---17-january.pdf?sfvrsn=d65984c9_4)

**Figure 5** Huntly and Ohinewai Development Plan



The Huntly and Ohinewai Development Plan has a 50-year horizon and anticipates the possible future population to be 13,500<sup>18</sup> which is marginally higher than the 2061 residential population allocation for Huntly in Future Proof and the WRPS which is 12,275 (noting that the Draft Waikato 2070 document has a longer time horizon to 2070 and includes Huntly as well as Ohinewai).

A more substantial increase in resident population is anticipated for Te Kauwhata under the Te Kauwhata Development Plan which forms part of the Draft Waikato 2070 document. It identifies a future population of 10,000 residents whereas the residential population allocation for Te Kauwhata in Future Proof and the WRPS is 7,675 residents to 2061.

The population projections for Huntly and Ohinewai in the Draft Waikato 2070 strategy indicate that the Council is expecting that there will be no substantial increase in resident population in those settlements despite Ambury's large-scale development plans and their proposal for additional industrial land. The Development Plan does not contain figures for the total area of industrial land but the map indicates it may be contemplating in the order of 150 hectares total within the next 30 years. This is over six times the current total industrial land allocation in Future Proof and the WRPS for Huntly and Rotowaro (which is 23 hectares to 2061). This scale of development would generate significant employment opportunities and demand for additional housing. The anticipated timeframes of 3-10 years for the Ohinewai South Cluster and 10-30 years for the Ohinewai North Cluster mean that the demand for housing is likely to be in the short to medium term.

<sup>18</sup> Waikato 2070 Draft Growth and Economic Development Strategy, November 2019, pg 32



It is possible that the strategy is anticipating more of the residential demand to be accommodated in Te Kauwhata than Huntly given the more substantial increase in the population projections there. However, this is not apparent from the Strategy, nor is it clear whether any consideration has been given to accommodating any residential development at Ohinewai in conjunction with the planned industrial development. Te Kauwhata is more distant from Ohinewai and it would require employees of businesses at Ohinewai to travel further to work so it should not be a preferred primary growth option to support the proposed industrial clusters at Ohinewai.

In our view, a more preferable scenario would be the provision for mixed use development at Ohinewai, which would provide housing choice for future employees of the industrial area at Ohinewai consistent with the aim of the Waikato 2070 strategy to create and nurture liveable, thriving and connected communities. It would also reduce travel demand and motor vehicle dependence and more appropriately address the outcomes of the Ohinewai Blueprint (refer to Section 5.4.2 of this report) which the Waikato 2070 Strategy sets out that it is intended to give life to.

## 5.4 OTHER CONSIDERATIONS

### 5.4.1 HAMILTON-AUCKLAND CORRIDOR PLAN

A Hamilton-Auckland Corridor Plan is currently being prepared, although currently no draft Plan has been released nor have any decisions been made. A summary statement of shared spatial intent for the corridor was released in February 2019. The objective of the summary statement was to provide a 100+ year shared spatial intent for future urban growth and development along the cross-boundary transport corridor and is currently a draft programme of possible key transformative projects<sup>19</sup>.

The summary outlines that the purpose of the corridor project is to develop an integrated spatial plan and establish an ongoing growth management partnership for the transport corridor which:

1. *Accelerates identified transformational opportunities*
2. *Outlines key housing, employment, social, environmental and network infrastructure priorities for the corridor over the next 30 years to successfully accommodate growth and also address levels of service, remedial or renewal needs*
3. *Identifies planning, development, infrastructure, mitigation and restoration works required, and funding and legislative projects partners may take in the short term for implementation of a long term vision.*

In relation to the Ohinewai area, the summary identifies Ohinewai-Huntly as a “priority development area” among river communities with the proposed focus for these river communities to provide support for:

*“community and iwi-led revitalisation and targeted growth that will realise the full value of the natural, transport, marae and recreational networks that braid the area together as an asset for its people and many others who can visit and travel through”.*

There is potential for OLL’s proposal to provide support for this focus, particularly in connecting the natural and recreational networks for the surrounding lakes in with potential future development. Huntly is specifically identified in the summary statement as a key revitalisation opportunity where a comprehensive social housing upgrade is supported in addition to a possible employment, skills and technology cluster in the north and south of Huntly.

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<sup>19</sup> Summary statement of shared spatial intent for the Hamilton-Auckland Corridor, 2 February 2019, pg 6 <http://futureproof.org.nz/assets/FutureProof/Corridor-Plan/Hei-Awarua-ki-te-Oranga-H2A-Shared-statement-of-spatial-intent-FINAL.pdf>



For Focus Area 3 which relates to the River Communities, the summary of shared spatial intent sets out that the recommended next step is to appropriately incorporate key initiatives identified through the Waikato District Council Blueprint project into the corridor planning (refer to Section 5.4.2 below). The Ohinewai Blueprint map in particular, identifies the potential for residential around the future employment area if Ambury's proposal were to proceed.<sup>20</sup>

This potential growth node will likely be the subject of further consideration through spatial planning and the Phase 2 review of Future Proof. OLL is seeking that the PWDP provisions and maps provide the opportunity for outcomes identified in the summary statement of the Hamilton-Auckland Corridor Plan to be addressed by subsequent WDP change processes.

## 5.4.2 OHINEWAI BLUEPRINT

Waikato District Council commissioned the development of a District Blueprint in 2018. The Blueprint was developed and delivered through a series of intensive consultation and Inquiry-By-Design workshops between July and November 2018. A final blueprint document was released in June 2019 and it includes a specific Blueprint for Ohinewai. OLL did not participate in the Ohinewai Blueprint process.

The aim of the Blueprint is stated as being “to provide a high-level ‘spatial picture’ of how the district could progress over the next 30 years, address the community’s social, economic and environmental needs, and respond to its regional context”. The Council’s overall vision for the district is “liveable, thriving and connected communities”<sup>21</sup>. The Blueprint explains that it will inform the Long Term Plan, Annual Plan and District Plan.

The Ohinewai Blueprint map (refer to **Figure 6**) reflects the potential for residential development and convenience retail around the future employment on the Ambury site. Very high priority was given to the opportunity to investigate the potential for a mix of larger and smaller lots (for affordability) east of SH1 where OLL’s site is suitable for low density development.

The map identifies the OLL site as a “potential location for future employment if factory proceeds”. It appears to recognise the location advantages of the OLL site with respect to the Ohinewai Reserve, Lake Ohinewai and the Ambury site. It also appears to align the Ohinewai spatial extent with OLL’s suggested amendments to the structure plan by showing a less linear form along Tahuna Road.

<sup>20</sup> Waikato Blueprint, June 2019, pg 77

[https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/blueprints/waikato-district-blueprint-2019.pdf?sfvrsn=a33482c9\\_10](https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/blueprints/waikato-district-blueprint-2019.pdf?sfvrsn=a33482c9_10)

<sup>21</sup> Waikato Blueprint, June 2019, pg 3

**Figure 6** Ohinewai Blueprint Map



Other initiatives identified in the Blueprint relevant to Ohinewai include:

- Building a strong identity for the town based on a village community;
- The river corridor and the unique qualities of the local area;
- Supporting the expansion of the school;
- Clarifying the future of the reserve (which adjoins the OLL site);
- Ensuring that possible expansion addresses its own impacts (such as traffic, noise, and visual); and
- Ensuring that development contributes positively to the local community by offering more convenience retail, improving housing affordability, new walking and cycling connections and improving the viability of the school.

The Blueprint also recognises constraints for Ohinewai which will need to be addressed, including expansion in flood prone areas, improved pedestrian and cycling linkages between east and west and the need to resolve water and wastewater infrastructure issues. Many of these matters have been addressed in Section 3.2 in relation to proposed growth for Ohinewai.

## 5.5 SUMMARY OF PLANNING CONTEXT

### 5.5.1 RELEVANCE OF PLANS

There are a number of plans and strategies with varying status for decision making on Ohinewai growth matters. In summary, the requirements are:

- Strategies which district plans must give effect to:
  - National Policy Statement on Urban Development Capacity (NPS-UDC)
  - Operative Waikato Regional Policy Statement (WRPS)
- Plans which district plans must not be inconsistent with:
  - Operative Waikato Regional Plan (WRP)
- Plans and strategies prepared under other Acts which regard must be had to when preparing or changing a district plan:
  - Future Proof Strategy
  - Waikato Plan
  - Waikato District Development Strategy (DDS)
  - Draft Waikato District Growth and Economic Development Strategy – Waikato 2070 <sup>22</sup>
- Plans which must be taken into account to the extent that their content has a bearing on resource management issues of the district:
  - Waikato-Tainui Environmental Plan

Consideration has also been given to progress on the Hamilton to Auckland Corridor Plan and to the Ohinewai Blueprint to the extent that the information is relevant to assist with decision making and forming an overall view in terms of the Council's functions under section 31 and the requirement for district plans to be prepared in accordance with Part 2 of the Act.

### 5.5.2 SUMMARY

Neither the Future Proof Growth Strategy nor the WRPS currently anticipate industrial or residential development at Ohinewai of the scale being considered through submissions on the PWDP. However, both plans have provisions which enable the consideration of an alternative settlement pattern and land allocations and release, subject to a robust evidence base and assessment of the changes in relation to defined criteria.

OLL's requested changes do not seek to rezone any land at Ohinewai through the PWDP but instead seek for it to be identified as a potential growth area. Identifying land as having the potential for future growth does not constitute land release and therefore the alternative land release provisions do not need to be addressed with respect to OLL's site for it to be identified as a potential future growth area.

It is highly likely that any rezoning to be considered for the OLL site through a plan change or plan review in the future would be assessed in relation to an updated or new iteration of the WRPS. Future Proof is due to be reviewed in 2020 (part of the purpose of the review

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<sup>22</sup> It is noted that the plan is currently in draft which should be taken into account in terms of the weighting afforded to the plan as part of decision making.

is to incorporate the outcomes of the Hamilton to Auckland Corridor Plan) and a review of the WRPS is likely to follow to incorporate any necessary changes.

Planning strategies which have been advanced since the last review of Future Proof in 2017 include the Ohinewai Blueprint, the Draft Waikato District Growth and Economic Development Strategy (Waikato 2070) and work which has been undertaken to date on the Hamilton to Auckland Corridor Plan. These strategies form the basis for an emerging policy framework that is likely to influence the future changes to Future Proof and the WRPS.

The Ohinewai Blueprint (June 2019) and the Draft Waikato 2070 (November 2019) indicate a change in approach to growth at Ohinewai. The Ohinewai Blueprint identifies growth potential in Ohinewai to the east of SH1 consisting of a mix of industrial, convenience retail, employment and residential uses. The Draft Waikato 2070 strategy identifies Ohinewai as a location for industrial activity at a significant scale to the east of SH1 but with no wider mix of uses. Although the stated intent of the Draft Waikato 2070 strategy is to implement and give life to the District Blueprints, there is clearly a degree of disconnect between the outcomes sought by the two strategies for Ohinewai. These matters are likely to be considered further through the submission and hearings process for Waikato 2070 in late 2019 to early 2020.

Significant opportunities exist and are being considered for Ohinewai. Emerging changes in the approach to growth at Ohinewai (and within the wider Hamilton to Auckland Corridor area) mean that there is currently misalignment between some of the plans. It is expected that the plans will become more closely aligned through ongoing reviews and updates over the next 2 years or thereabouts, including the Phase 2 review of Future Proof and a subsequent review of the WRPS.

Biodiversity and natural character matters are important considerations for growth at Ohinewai due to the location near Lakes Ohinewai, Rotokawau and Waikare. There are potential opportunities for enhancement of biodiversity and natural character values in conjunction with urban growth. Natural hazards are a key consideration with respect to flood potential. The OLL site is not within a High Risk Flood Zone so the WRPS enables the opportunity for development to be managed (rather than avoided) and for potential effects to be mitigated to ensure that an acceptable level of risk is achieved.

## 6.0

# SECTION 32AA EVALUATION

### S32AA ANALYSIS FOR OHINEWAI LAND LTD SUBMISSION (HEARING 19 – OHINEWAI REZONING AND DEVELOPMENT)

Provisions	Evaluation
<p>1</p> <p>OLL supports Ambury's request for a new policy for Ohinewai with some changes. The following wording is based on Ambury's proposal set out in their further submission addendum dated 7 November 2019. OLL's proposed changes are shown in underlined and strikethrough text below.</p> <p>4.1.19 Policy - Ohinewai</p> <p>A. Ohinewai is developed to ensure:</p> <p>(vii) It is in general accordance with the Ohinewai Structure Plan.</p> <p>(viii) The Rural Residential Character of Ohinewai West is maintained.</p> <p>(ix) Large scale industrial <del>and commercial</del> development is located to the east of State Highway 1 <del>Ohinewai East</del>.</p> <p>(x) Commercial development in Ohinewai East provides for factory outlet retail and small scale convenience retail and community activities.</p> <p>(xi) Residential development provides for growth, achieves a compact urban form and creates a high-quality urban environment by:</p> <p>A. Providing a range of housing typologies, including <u>low</u>, medium and higher density residential development.</p> <p>B. Implementing a high standard of urban design through lot orientation, high quality streetscapes, a high level of connectivity, <u>an attractive interface to Tahuna Road with properties fronting the road</u> and a well-connected green network.</p> <p>(xii) Flood hazards and stormwater are managed to ensure that effects on sensitive land uses are mitigated.</p>	<p><u>Alternative Options:</u></p> <ul style="list-style-type: none"> <li>Do not include a policy for Ohinewai and do not rezone any land.</li> <li>Rezone land at Ohinewai but do not include a policy for Ohinewai in the PWDP.</li> <li>Amend Policy 4.1.13 – Huntly so that it also addresses Ohinewai.</li> <li>Retain the policy requested by Ambury without the changes requested by OLL.</li> </ul> <p><u>Benefits:</u></p> <ul style="list-style-type: none"> <li>If rezoning proceeds at Ohinewai and a structure plan is inserted into Appendix 13 then the benefits of having a policy for Ohinewai are to make the specific environmental, economic, social and cultural outcomes clear to guide plan users and resource consent applications.</li> <li>Consistency with the plan framework in the notified version of the PWDP which has policies for other settlements which set out the intended development outcomes.</li> <li>It is preferable to have a specific policy for Ohinewai rather than a combined policy for Huntly and Ohinewai because the development outcomes are different. Other policies are specific to individual settlements.</li> <li>OLL's requested changes to Policy 4.1.19(a)(iii) make it clear that the reference to "large scale" relates to industrial development</li> </ul>

**S32AA ANALYSIS FOR OHINEWAI LAND LTD SUBMISSION (HEARING 19 – OHINEWAI REZONING AND DEVELOPMENT)**

only and not commercial development and tidy up a drafting error with respect to the reference to Ohinewai East.

- OLL's requested change to Policy 4.1.19(a)(v)A reflects that residential development should include a mix of low, medium and higher density development (rather than just medium and higher density). A mix of densities is important to provide housing choice and a diverse community. The OLL site is well suited for low density development to balance the overall density of housing provision at Ohinewai.
- OLL's requested change to Policy 4.1.19(a)(v)B reflects that an attractive interface to Tahuna Road with properties fronting the road is important to achieve a high standard of urban design. It will also ensure that the development of the Ambury site most appropriately responds to the potential future growth area on the OLL site on the southern side of Tahuna Road. This will ensure that the future of Ohinewai as a mixed use river town is considered in an integrated manner rather than considering the Ambury site in isolation.
- A benefit of development on the Ambury site fronting Tahuna Road is that the land adjacent to the road will be capable of efficient use for urban development rather than being required as an open space buffer.

Costs:

- There are no costs associated with OLL's requested changes to Policy 4.1.19(a)(iii).
- A cost associated with OLL's requested change to Policy 4.1.19(a)(v)B is the likely road upgrades and street planting that will be necessary to ensure that an appropriate streetscape is provided along Tahuna Road. However, upgrades to Tahuna Road are likely to be required regardless in order to provide safe and efficient road access to the adjoining land and to provide suitable

**S32AA ANALYSIS FOR OHINEWAI LAND LTD SUBMISSION (HEARING 19 – OHINEWAI REZONING AND DEVELOPMENT)**

		<p>facilities for pedestrians and cyclists. There is unlikely to be any significant change in house building costs due to the change.</p> <p><u>Summary:</u></p> <ul style="list-style-type: none"> <li>If land is rezoned at Ohinewai (as requested by Ambury) then the alternative options are not preferred and Policy 4.1.19 will be the most appropriate way to achieve Objectives 4.1.1 and 4.1.2.</li> </ul>
2	<p>OLL seeks changes to the Structure Plan that Ambury has proposed for Ohinewai consisting of:</p> <ul style="list-style-type: none"> <li>Inserting a notation related to a 'Potential Future Residential Growth Area including Open Space' for the OLL site located between Tahuna Road and Lake Ohinewai;</li> <li>Adding the Ohinewai Reserve;</li> <li>Shortening the length of the residential area on the Ambury site along Tahuna Road; and</li> <li>Removing the open space between the residential area and Tahuna Road on the Ambury site.</li> </ul> <p>The changes that OLL is seeking are shown and annotated on the Structure Plan contained in <b>Appendix 2</b> of this report.</p>	<p><u>Alternative Options:</u></p> <ul style="list-style-type: none"> <li>Do not include a structure plan for Ohinewai and do not rezone any land.</li> <li>Rezone land at Ohinewai but do not include a structure plan in the PWDP.</li> <li>Retain the structure plan requested by Ambury without the changes requested by OLL.</li> </ul> <p><u>Benefits:</u></p> <ul style="list-style-type: none"> <li>Adding a potential future growth area for the OLL site will have the efficiency benefit of clearly signalling the preferred option for future growth so that landowners, the community and infrastructure providers are aware and can plan for that potential eventuality and respond to it.</li> <li>Adding a potential future growth area for the OLL site will be an effective way to assist in reducing the likelihood of foreclosure of growth options, particularly given uncertainties such as demand for residential land at Ohinewai and practical residential yield on the Ambury site if the land is zoned.</li> <li>Adding the Ohinewai Reserve into the structure plan will most effectively reflect the importance of this existing community asset which has the potential to be enhanced in the future as part of the growth and development of Ohinewai.</li> <li>Shortening the length of the residential area on the Ambury site along Tahuna Road will avoid ribbon development and</li> </ul>

**S32AA ANALYSIS FOR OHINEWAI LAND LTD SUBMISSION (HEARING 19 – OHINEWAI REZONING AND DEVELOPMENT)**

concentrate residential activities closer to the existing Ohinewai area (including the school and other amenities) and planned employment land which is an efficient and effective approach to development. It will also align the Ambury residential development with the potential future growth area on the OLL site.

- A benefit of development on the Ambury site fronting Tahuna Road is that the land adjacent to the road will be capable of efficient use for urban development rather than being required as an open space buffer. This may assist in improving any potential loss of yield due to OLL's request for the length of the residential area along Tahuna Road to be shortened (refer to costs below).

Costs:

- There are no costs associated with amending the structure plan to show the Ohinewai Reserve.
- The shortening of the length of the residential area along Tahuna Road will reduce the size of Ambury's proposed residential area which may represent a cost in terms of loss of a potential opportunity for the developer.

Summary:

- If land is rezoned at Ohinewai (as requested by Ambury) then the alternative options are not preferred and inserting a structure plan into Appendix 13 will be the most appropriate way to achieve Objectives 4.1.1 and 4.1.2.



## 7.0 CONCLUSION

This report has been prepared in relation to OLL's submission and further submissions to the PWDP relating to growth and development at Ohinewai.

OLL has identified the growth potential at Ohinewai due to its strategic location between Hamilton and Auckland and its proximity to the Waikato Expressway and the North Island Main Trunk railway (NIMTR). OLL supports the creation of a mixed-use community at Ohinewai with a strong identity and local opportunities for live, work and play rather than an industrial node only. OLL has considered the potential for an approximately 39 hectare site located between Tahuna Road and Lake Ohinewai to be developed in future, if Ambury's plans to develop industrial and residential activities at Ohinewai are to proceed.

The OLL site is well suited to be zoned Residential in the future and would likely to be able to accommodate approximately 235 dwellings and public open space areas adjacent to Lake Ohinewai and the existing Ohinewai Reserve. The potential exists for a future reserve to the north of Lake Ohinewai to form a corridor of open space between Lakes Ohinewai, Rotokawau and Waikare for recreation and with potential ecological enhancement opportunities.

Whilst OLL is considering potential residential use of the site in the future, they do not intend to develop the site in the short term and as such OLL is not seeking that its site be rezoned through this PWDP process. This means that OLL is seeking that decisions on the PWDP anticipate and do not preclude the future rezoning and development of the OLL site for residential and open space purposes, which will provide a longer time horizon to enable OLL (and infrastructure service providers) to effectively plan for the future development of the site and to ensure integration with Ambury's own development plans. Specifically, OLL is seeking changes to Ambury's requested wording for a new Policy 4.1.19 related to Ohinewai and the addition of a potential future growth area and associated changes to the Structure Plan for Ohinewai, which Ambury has requested to be inserted in Appendix 13 of the PWDP.

This Planning Report has considered OLL's requested changes in terms of the relevant provisions of the RMA and the relevant strategies and plans. Key provisions within the strategies and plans include provisions related to growth, biodiversity, natural character and natural hazards. Emerging changes in the approach to growth at Ohinewai (and within the wider Hamilton to Auckland Corridor area) mean that there is currently misalignment between some of the plans. Integration of the outcomes is expected to occur through updates of some of the plans, including the Phase 2 review of Future Proof which is expected to occur in 2020 and a subsequent review of the WRPS. Further clarification on water and wastewater infrastructure for Ohinewai is expected in mid-2020 following the completion of a servicing strategy by Watercare for the corridor between Huntly and Meremere (including Ohinewai).

Including the OLL site as a potential future growth area within the PWDP will have the benefit of clearly signalling the preferred option for future growth so that landowners, the community and infrastructure providers are aware and can plan for that potential eventuality and respond to it. Including such provisions does not constitute a commitment to rezone the land and any future rezoning would require further technical assessments and be subject to consideration against the applicable policy framework as it exists at the time of the plan change or plan review process.

## 8.0 LIMITATIONS

### 8.1 GENERAL

This report is for the use by Ohinewai Lands Limited only, and should not be used or relied upon by any other person or entity or for any other project.

This report has been prepared for the particular project described to us and its extent is limited to the scope of work agreed between the client and Harrison Grierson Consultants Limited. No responsibility is accepted by Harrison Grierson Consultants Limited or its directors, servants, agents, staff or employees for the accuracy of information provided by third parties and/or the use of any part of this report in any other context or for any other purposes.



# APPENDICES



# **APPENDIX 1**

## **OLL SUBMISSIONS**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of a submission in respect of the Proposed Waikato District Plan by Ohinewai Land Limited pursuant to clause 6 of Schedule 1 to the Act

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**MEMORANDUM OF COUNSEL FOR OHINEWAI LAND LIMITED**

**Dated 14 August 2019**

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**LACHLAN MULDOWNNEY**  
BARRISTER

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**Office** Panama House, 15 Grantham Street, Hamilton  
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**May it please the Hearing Panel:**

1. This memorandum is filed on behalf of Ohinewai Land Ltd (**OLL**), submitter number 428 to the proposed Waikato District Plan (**PDP**).
2. At paragraph 3.2 of the memorandum of counsel for Ambury Properties Ltd (**APL**) dated 12 August 2019, it was signalled that OLL would refine and clarify the nature of the relief set out in its primary submission which is broadly framed. This memorandum addresses that point.
3. OLL's primary submission is set out at **Attachment A** to this memorandum. It provides:

**The decision I would like is:**

The inclusion of a growth area at Ohinewai in accordance with the attached plan.

**My reasons for the above are:**

The growth area is in close proximity to Huntly (only separated by the Waikato Expressway) and could be connected to Council services. Ohinewai is centrally located between Auckland and Hamilton, and has an existing interchange on the Waikato Expressway. There is already Ohinewai school, and Living, Country Living and Business zoned land on the western side of the Waikato Expressway. Soil types in the area typically limit productive use during winter.

4. The plan which is attached to the primary submission identifies a significant area of land extending from Lake Kimihia in the south to Lake Waikare in the north, and from the Waikato River in the west to east of Gill Road. Included within the mapped area is the APL site.
5. The OLL primary submission was supplemented by its further submission which is set out at **Attachment B**. The further submission addressed the following original submissions;


- a) Hamilton City Council (support)
  - b) Shand Properties Ltd (support in part)
  - c) Ambury Properties Ltd (support in part)
  - d) Ribbonwood Family Trust (support in part)
6. In respect of the APL primary submission seeking the rezoning of the property at 231 Tahuna Road and 52, 56 and 58 Lumsden Road from rural zone to industrial, business and residential zone, the OLL further submission supports the relief in part, and states;

The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. Factors such as industrial, business and residential demand, development density, natural hazards, transport connectivity and infrastructure servicing (amongst others) should be considered in determining the exact area to be rezoned within the 'Proposed Growth Area'. This should be the subject of a structure planning exercise for the 'Proposed Growth Area' to provide an overarching approach to land use planning in and around Ohinewai. I seek that the location, extent and type of zoning for urban growth at Ohinewai should be determined following structure planning of the entire Proposed Growth Area.

7. OLL wishes to better define the land within its control in the 'Proposed Growth Area' that it is seeking be urbanised. **Attachment C** to this memorandum is a map showing the areas of land within the 'Proposed Growth Area' which are owned and controlled by OLL which OLL seeks to be included in any structure planning exercise for Ohinewai. The areas outlined in purple are within OLL land holdings, while the area outlined in light blue is land controlled by APL. There is also an area of recreation reserve identified in green.

8. While OLL can signal a preference for residential land use within its land holdings, the exact land use within the 'Proposed Growth Area' will be determined following a structure planning exercise, as stated in the further submission filed by OLL.
9. OLL respectfully suggests that in the round of further public notification of the Ohinewai submissions, that the map currently attached to the OLL primary submission be supplemented with the map at **Attachment C** to this memorandum noting that it represents "The areas of land owned and controlled by OLL which it seeks be included in the structure planning exercise for Ohinewai".

Dated 14 August 2019



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L F Muldowney  
Counsel for Ohinewai Land Limited



**ATTACHMENT A**

**OHINEWAI LAND LIMITED'S PRIMARY SUBMISSION**

## Proposed Waikato District Plan

### Submission form

RMA Form 5

ECM Project: DPRPh5-03
ECM # .....
Submission # .....
Customer # .....
Property # .....

To submit electronically please go to: [www.waikatodistrict.govt.nz/pdp](http://www.waikatodistrict.govt.nz/pdp)

**Closing date for submissions: 5pm on Tuesday 9 October 2018**

**Submitter details:** (please note that the (\*) are required fields and must be completed)

First name*: David	Last name*: Peacocke
Organisation: N/A	
On behalf of: Ohinewai Land Limited	
Postal address*: PO Box 9548	
Suburb:	Town/City*: Hamilton
Country:	Postal code*: 3240
Daytime phone: 07 839 7428	Mobile: 027 499 847
Email address*: taupiriholdings@gmail.com	
Please tick your preferred method of contact* <input checked="" type="checkbox"/> Email <input type="checkbox"/> Postal	
Correspondence to* <input checked="" type="checkbox"/> Submitter <input type="checkbox"/> Agent <input type="checkbox"/> Both	
Trade competition and adverse effects: * <input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission.	
<b>Note:</b> If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part I of Schedule I of the Resource Management Act 1991.	
Would you like to present your submission in person at a hearing? <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> I do NOT wish to speak in support of my submission and ask that this submission be fully considered.	
If others make a similar submission I will consider presenting a joint case with them at the hearing (do not tick if you would not consider a joint case). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

**Please complete the following for every submission point:**

**Provision number** (e.g. 22.4.1.2 P2(a)):

Physical address of the property concerned (if relevant to your submission):

**Do you:**

☒ Support    ☐ Oppose    ☐ Neutral    Subject to the decision below

**The decision I would like is:**

The inclusion of a growth area at Ohinewai in accordance with the attached plan.

**My reasons for the above are:**

The growth area is in close proximity to Huntly (only separated by the Waikato Expressway) and could be connected to Council services.

Ohinewai is centrally located between Auckland and Hamilton, and has an existing interchange on the Waikato Expressway.

There is already Ohinewai School, and Living, Country Living and Business zoned land on the western side of the Waikato Expressway.

Soil types in the area typically limit productive uses during winter.

Please return this form **no later than 5pm on 9 October 2018** to:

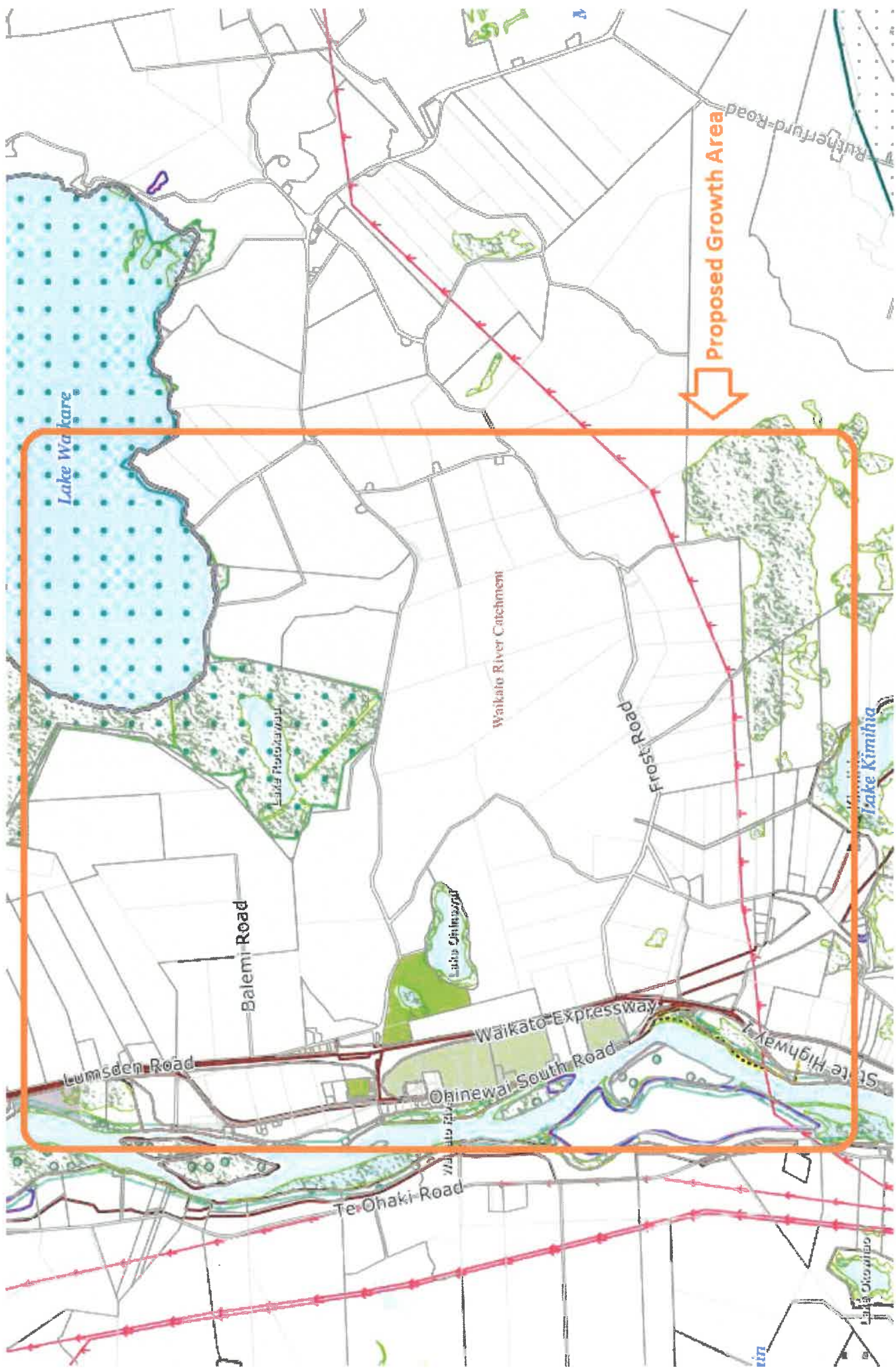
Waikato District Council, 15 Galileo Street, Private Bag 544, Ngaruawahia 3742, or e-mail: [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

Signed:  .....

Date: 9 October 2018 .....

(A signature is not required if you make your submission by electronic means)

**PRIVACY ACT NOTE:** Please note that all information provided in your submission will be used to progress the process for this proposed district plan, and may be made publicly available.



Ohinewai Land Limited Proposed Waikato District Plan Submission

**ATTACHMENT B**

**OHINEWAI LAND LIMITED'S FURTHER SUBMISSION**

**Further Submission Form**  
In support of, or in opposition to,  
submission/s on notified:

ECM Project: DPRPh5-04  
ECM # .....  
FS # .....  
Customer # .....  
Property # .....

RMA Form 6

**Proposed Waikato District Plan – Stage 1**

*Clause 8 of Schedule 1, Resource Management Act 1991*

**Closing date for further submissions: 9am on Monday 27 May 2019**

To submit electronically please go to: [www.waikatodistrict.govt.nz/pdp](http://www.waikatodistrict.govt.nz/pdp)

<b>1. Further Submitter details:</b> (mandatory information)	
Full name of individual/organisation making further submission:	Ohinewai Land Limited
Contact person (if different from above)	C/- Michael Briggs, Harrison Grierson (Agent)
Email address for service	M.Briggs@harrisingrierson.com
Postal address for service	PO Box 1114
	Hamilton Postcode: 3204
Preferred method of contact	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Post
Phone numbers	Daytime:
	Mobile: 027 635 4030
Correspondence to	<input type="checkbox"/> Submitter <input checked="" type="checkbox"/> Contact person <input type="checkbox"/> Both

<b>2. Eligibility to make a further submission</b> (for information on this section go to RMA Schedule 1, clause 8)
<p>I am:</p> <p><input type="checkbox"/> A person representing a relevant aspect of the public interest; <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p> <p><input checked="" type="checkbox"/> A person who has an interest in the proposal greater than the interest that the general public has. <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p>
<p>My reasons for selecting the category ticked above are:</p> <p>The Submitter owns rural properties in Ohinewai which are subject and adjacent to submissions seeking rule changes and future urban development. The Submitter has a significant interest in the outcomes of those submissions.</p>

<b>3. Request to be heard at a hearing</b>
<p><input checked="" type="checkbox"/> Yes, I wish to be heard at the hearing in support of my further submission; or</p> <p><input type="checkbox"/> No, I do not wish to be heard at the hearing in support of my further submission</p>

<b>4. Joint submission</b>
<p>If others make a similar submission, I will consider presenting a joint case with them at the hearing</p> <p><input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>

## 5. Checklist for further submission being made

- ☒ I have filled in the table on the next page with details of my further submission.
- ☒ I have added 6 further pages/sheets that form part of my further submission.
- ☒ I understand that I am responsible for serving a copy of my further submission on the original submitter(s) within 5 working days after it is served on Council.

## 6. Signature of further submitter *(a signature is not required if you make your submission by electronic means)*

Signature of further submitter (or person authorised to sign on their behalf)

Signature: Michael Briggs (Agent) Date: 15 July 2019  
*(type name if submitting electronically)*

## 7. Return this form no later than 9am Monday 27 May 2019 by:

- Delivery to any Waikato District Council office or library
- Post to Waikato District Council, Private Bag 544, Ngaruawahia 3742
- Email to [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

## 8. Important notes to person making a further submission:

### A. Content of further submission

A further submission must be limited to a matter in support of, or in opposition to, an original submission.

A further submission cannot introduce new matters that were not raised in original submissions.

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the further submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

### B. Serving a copy of your further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council.

### C. Privacy Information

Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.

# OHINEWAI LAND LIMITED FURTHER SUBMISSION ON THE PROPOSED WAIKATO DISTRICT PLAN

1. This further submission is made on behalf of Ohinewai Land Ltd. The Further Submitter (among others) is the owner of rural properties in excess of 750 hectares which have frontages to Tahuna, Balemi, Frost and Ralph Roads, Ohinewai.
2. The specific submissions on the Proposed Waikato District Plan that this further submission relates to are set out in the table below.

THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
Waikato Regional Council	C/- Lisette Balsom, Private Bag 3038, Waikato Mail Centre, Hamilton 3240	81	81.18	Support	<u>Relief sought by original Submitter:</u>  Amend the Proposed District Plan provisions and maps to provide for outcomes identified in the Auckland-Hamilton Corridor Plan and Future Proof Strategy Phase 2 review.  <u>Further Submitter's reasons for support:</u>  The Hamilton-Auckland Corridor Plan has identified Ohinewai-Huntly as a "priority development area". This potential growth node will likely be the subject of further consideration through spatial planning and the Phase 2 review of the Future Proof strategy.  The Further Submitter supports the Waikato Regional Council's submission point that considers that the Proposed District Plan provisions and maps should provide for the outcomes of these strategic planning initiatives.	I seek that the whole of the submission point be allowed.
Auckland Council	Private Bag 92300, Victoria St West, Auckland 1142	372	372.3	Support	<u>Relief sought by original Submitter:</u>  Amend Section 1.5 to provide for outcomes identified in the Hamilton-Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review  AND	I seek that the whole of the submission point be allowed.



# OHINEWAI LAND LTD PROPOSED WAIKATO DISTRICT PLAN SUBMISSION SUMMARY

THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
					<p>Amend maps to provide for outcomes identified in the Hamilton - Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review.</p> <p><u>Further Submitter's reasons for support:</u></p> <p>(a) The Hamilton-Auckland Corridor Plan has identified Ohinewai-Huntly, as a "priority development area". This potential growth node will likely be the subject of further consideration through spatial planning and the Phase 2 review of the Future Proof strategy.</p> <p>(b) The Further Submitter supports the Auckland Council's submission point that the Proposed District Plan planning maps should provide for the outcomes of the Hamilton-Auckland Corridor Plan, Interim Rail Business Case and the Future Proof Strategy (Stage 2) review.</p>	
Planning Focus Limited	Paul Arnesen	383	383.1	Support in part	<p><u>Relief sought by original Submitter:</u></p> <p>Amend the zoning of a number of properties in Ohinewai from Rural Zone and Country Living Zone to Industrial Zone</p> <p><u>Further Submitter's reasons for support in part:</u></p> <p>The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. Factors such as industrial demand, developable density, natural hazards, transport connectivity and infrastructure servicing (amongst others) should be considered in determining the exact area to be rezoned within the 'Proposed Growth Area'. This should be the subject of a structure planning exercise for the 'Proposed Growth Area' to provide an overarching approach to land use planning in and around Ohinewai.</p>	I seek that the location, extent and type of zoning for urban growth at Ohinewai should be determined following structure planning of the entire Proposed Growth Area.

# OHINEWAI LAND LTD PROPOSED WAIKATO DISTRICT PLAN SUBMISSION SUMMARY

THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
Hamilton City Council	Private Bag 3010, Hamilton 3240	535	535.5	Support	<p><u>Relief sought by original Submitter:</u></p> <p>Amend Section 1.12.1 Strategic direction, to provide an understanding of the location and forms of development that are sought and how the district will accommodate the growth projected in the National Policy Statement - Urban Development Capacity.</p> <p><u>Further Submitter's reasons for support:</u></p> <p>The Proposed District Plan should confirm how and where growth is anticipated to accommodate the projections of the National Policy Statement - Urban Development Capacity.</p>	I seek that the whole of the submission point be allowed.
Shand Properties Limited		738	738.1	Support in part	<p><u>Relief sought by original Submitter:</u></p> <p>Amend the zoning of approximately 61ha of land adjacent to Ohinewai North Road, as depicted in Appendix A of the submission, from Rural Zone to Country Living Zone.</p> <p><u>Further Submitter's reasons for support in part:</u></p> <p>The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. Factors such as residential demand, developable density, natural hazards, transport connectivity and infrastructure servicing (amongst others) should be considered in determining the exact area to be rezoned within the 'Proposed Growth Area'. This should be the subject of a structure planning exercise for the 'Proposed Growth Area' to provide an overarching approach to land use planning in and around Ohinewai.</p>	I seek that the location, extent and type of zoning for urban growth at Ohinewai should be determined following structure planning of the entire Proposed Growth Area.
Ambury Properties Limited		764	764.1	Support in part	<p><u>Relief sought by original Submitter:</u></p>	I seek that the location, extent and type of zoning for

# OHINEWAI LAND LTD PROPOSED WAIKATO DISTRICT PLAN SUBMISSION SUMMARY

THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
					<p>Amend the zoning of the property at 231 Tahuna Road and 52, 56 and 58 Lumsden Road, Ohinewai from Rural Zone to Industrial, Business and Residential Zone as shown on the plan attached to the submission (see Attachment 1 of the submission).</p> <p>AND</p> <p>Add the Ohinewai Structure Plan attached to the original submission in a new 'Appendix 13' within the Proposed District Plan.</p> <p><u>Further Submitter's reasons for support in part:</u></p> <p>The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. Factors such as industrial, business and residential demand, developable density, natural hazards, transport connectivity and infrastructure servicing (amongst others) should be considered in determining the exact area to be rezoned within the 'Proposed Growth Area'. This should be the subject of a structure planning exercise for the 'Proposed Growth Area' to provide an overarching approach to land use planning in and around Ohinewai.</p>	urban growth at Ohinewai should be determined following structure planning of the entire Proposed Growth Area.
Ambury Properties Limited		764	764.2	Support	<p><u>Relief sought by original Submitter:</u></p> <p>Amend Objective 4.1.2 Urban growth and development as follows:</p> <p>(a) Future settlement pattern is consolidated in and around existing <u>and planned</u> towns and villages in the district.</p> <p><u>Further Submitter's reasons for support:</u></p>	I seek that the whole of the submission point be allowed.

# OHINEWAI LAND LTD PROPOSED WAIKATO DISTRICT PLAN SUBMISSION SUMMARY

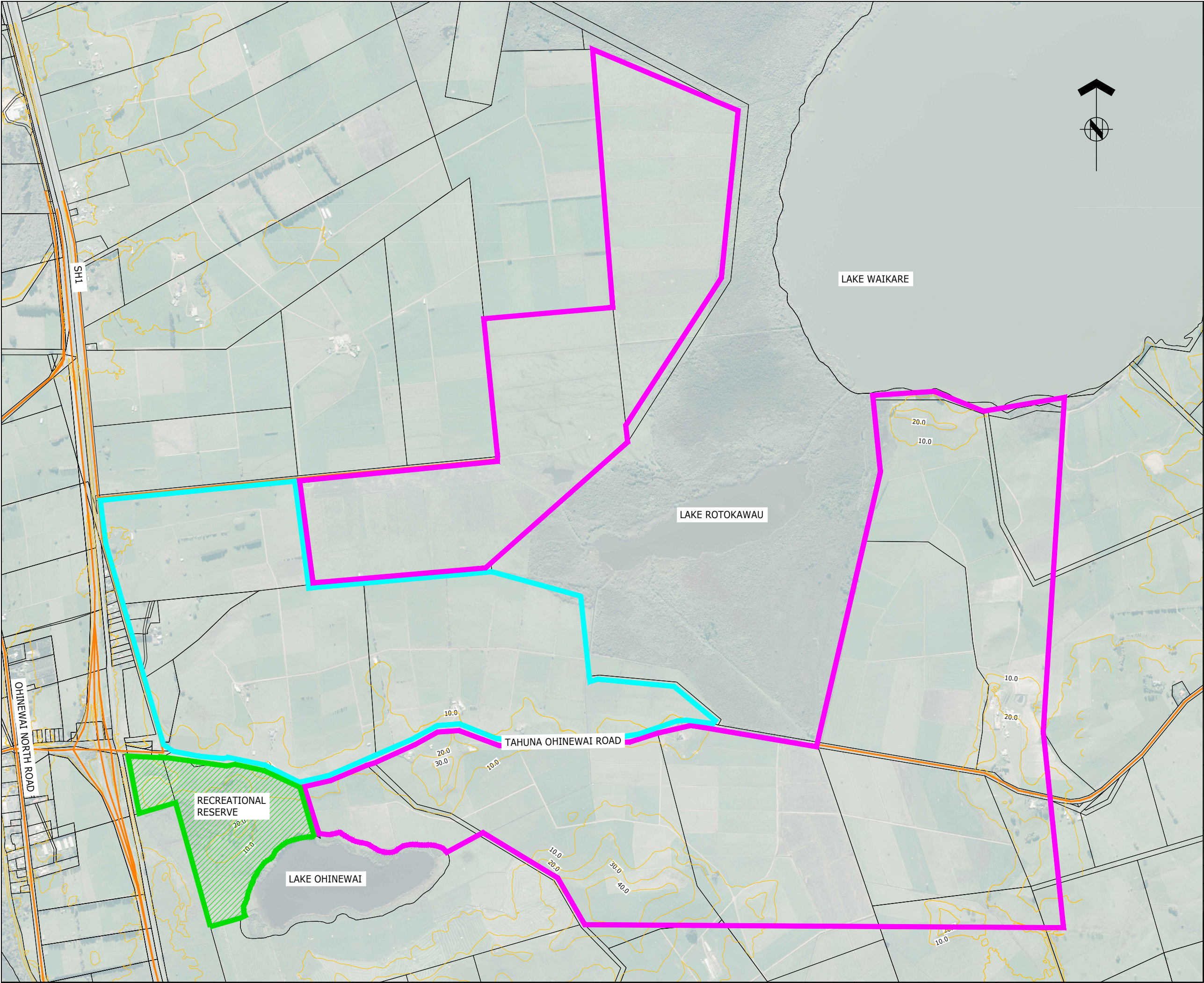
THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
					The future settlement patterns of the District should be consistent with the outcomes of the Auckland-Hamilton Corridor Plan, Future Proof Strategy Phase 2 review and relevant structure plans including existing and planned urban areas.	
Ambury Properties Limited		764	764.3	Support	<p><u>Relief sought by original Submitter:</u></p> <p>Amend Policy 4.1.3(a) Location of development as follows:</p> <p><i>(a) Subdivision and development of a residential, commercial and industrial nature is to occur within <u>existing and planned</u> towns and villages where infrastructure and services can be efficiently and economically provided for.</i></p> <p><u>Further Submitter's reasons for support:</u></p> <p>Subdivision and development should be consistent with the outcomes of the Auckland-Hamilton Corridor Plan, Future Proof Strategy Phase 2 review and relevant structure plans, including existing and planned urban areas.</p>	I seek that the whole of the submission point be allowed.
Ambury Properties Limited		764	764.6	Support in part	<p><u>Relief sought by original Submitter:</u></p> <p>Add an Ohinewai Structure Plan such as Attachment 2 within the submission as a new Appendix 13 in Chapter 29 Appendices.</p> <p><u>Further Submitter's reasons for support in part:</u></p> <p>The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. The entire 'Proposed Growth Area' should be the subject of a structure planning exercise to provide an overarching approach to land use planning in and around Ohinewai.</p>	I seek that the part of the submission point that seeks an Ohinewai Structure Plan be allowed but that the extent of the structure plan be increased to the entire Proposed Growth Area rather than the Submitter's property alone.

# OHINEWAI LAND LTD PROPOSED WAIKATO DISTRICT PLAN SUBMISSION SUMMARY

THE SPECIFIC SUBMISSION(S) ON THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1) THAT THIS FURTHER SUBMISSION RELATES TO:						
NAME OF ORIGINAL SUBMITTER	ADDRESS OF ORIGINAL SUBMITTER	ORIGINAL SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER/S	SUPPORT OR OPPOSE	REASONS FOR MY SUPPORT OR OPPOSITION ARE	I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART] OF THE SUBMISSION BE ALLOWED (OR DISALLOWED)
Ribbonwood Family Trust	John Kirton	863	863.1	Support in part	<p><u>Relief sought by original Submitter:</u></p> <p>Amend the zoning of the following properties at Ohinewai from Rural Zone to Country Living Zone bounded by Ohinewai South Road to the west and State Highway 1 (Waikato Expressway) to the east, including 53 Ohinewai South Road Ohinewai. (See map attached to submission).</p> <p><u>Further Submitter's reasons for support in part:</u></p> <p>The submission by Ohinewai Land Ltd identifies a 'Proposed Growth Area' around and east of the Waikato Expressway interchange at Ohinewai. Factors such as residential demand, developable density, natural hazards, transport connectivity and infrastructure servicing (amongst others) should be considered in determining the exact area to be rezoned and the staging and sequencing of development within the 'Proposed Growth Area'. This should be the subject of a structure planning exercise for the 'Proposed Growth Area' to provide an overarching approach to land use planning in and around Ohinewai.</p>	I seek that the location, extent and type of zoning for urban growth at Ohinewai should be determined following structure planning of the entire Proposed Growth Area.

## ATTACHMENT C







ASSOCIATION OF CONSULTING  
ENGINEERS NEW ZEALAND

ISO 9001  
QUALITY  
ASSURED

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NOTES

-  OHINEWAI LANDS AREA OF STRUCTURE PLANNING CONSIDERATION
-  AMBURY PROPOSED DEVELOPMENT SITE
-  RECREATIONAL RESERVE





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1	FOR INFORMATION	BT	07.08.19
REF	REVISIONS	BY	DATE

PROJECT:

OHINEWAI LANDS LTD

TITLE:

OHINEWAI LAND SUBMISSION  
AREA OF INTEREST

ORIGINATOR:	DATE:	SIGNED:	PLOT BY:
			MBT
DRAWN:	DATE:	SIGNED:	PLOT DATE:
			14.08.19
CHECKED:	DATE:	SIGNED:	SURVEY BY:
APPROVED:	DATE:	SIGNED:	SURVEY DATE:

ISSUE STATUS:

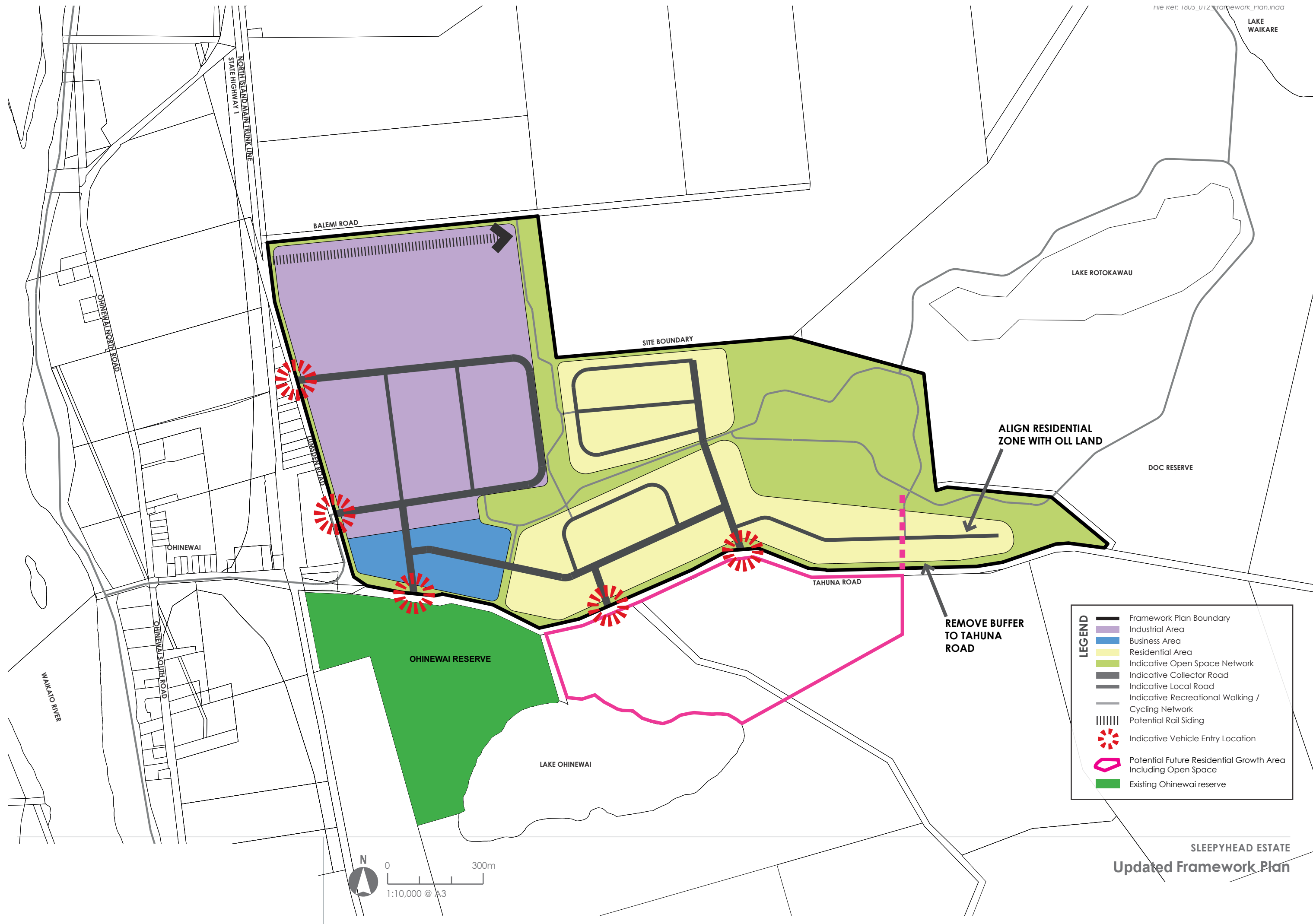
PROJECT No: 144739	SCALES: 1:7500 - A1 1:15000 - A3	A1
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## **APPENDIX 2**

# **OLL'S REQUESTED CHANGES TO STRUCTURE PLAN**





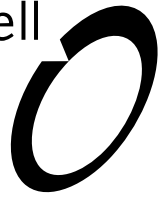
**LEGEND**

- Framework Plan Boundary
- Industrial Area
- Business Area
- Residential Area
- Indicative Open Space Network
- Indicative Collector Road
- Indicative Local Road
- Indicative Recreational Walking / Cycling Network
- Potential Rail Siding
- Indicative Vehicle Entry Location
- Potential Future Residential Growth Area Including Open Space
- Existing Ohinewai reserve

## **APPENDIX 3**

# **URBAN DESIGN, LANDSCAPE AND VISUAL ASSESSMENT (BOFFA MISKELL)**

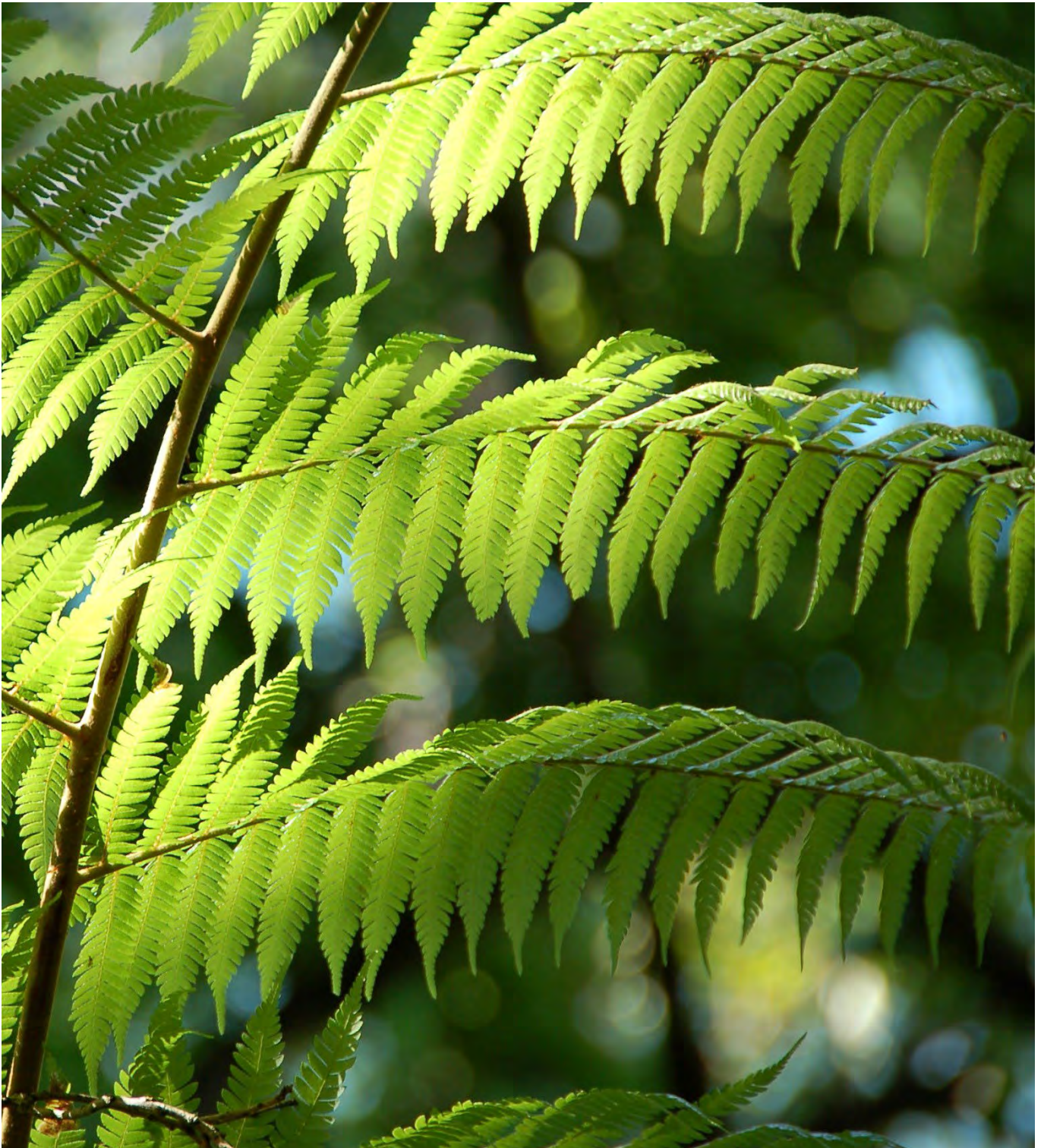
Boffa Miskell



# Ohinewai Masterplanning



Urban Design, Landscape and Visual Assessment  
Prepared for Ohinewai Lands Limited

3 December 2019





## Document Quality Assurance

<b>Bibliographic reference for citation:</b> Boffa Miskell Limited 2019. <i>Ohinewai Masterplanning: Urban Design, Landscape and Visual Assessment</i> . Report prepared by Boffa Miskell Limited for Ohinewai Lands Limited.		
Prepared by:	Oliver May Landscape Architect Boffa Miskell Limited	
Reviewed by:	Rachel de Lambert Landscape Architect / Partner Boffa Miskell Limited	
Status: Final	Revision / version 5	Issue date: 3 December 2019
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## Appendices

APPENDIX 1: Graphic Supplement; A3 Figures

# 1.0 Introduction

## 1.1 Scope of the Report

Boffa Miskell Limited (BML) was engaged by Ohinewai Lands Limited (OLL) in October 2019 to consider the appropriateness of future urban, including residential, development at Ohinewai.

Through submissions on the Proposed Waikato District Plan (PWDP), Ambury Properties Ltd (Ambury) is understood to be seeking the zoning of some 176ha of land on the east side of the State Highway 1 (SH1) and the associated rail corridor at Ohinewai for the creation of a complete urban expansion of Ohinewai. The Ambury proposal comprises proposed industrial activities (including for the purpose of developing a large scale Comfort Group / Sleepyhead factory), service centre, outlet store retail and residential / worker housing.

OLL owns a substantial area of rural land that is contiguous with the north eastern edge of the Ambury site and also directly across Tahuna Road from the Ambury site. OLL has sought advice in respect of the potential inclusion of some of that landholding within a future urban area, if the Ambury development proceeds.

BML has been requested to undertake an Urban Design and Landscape and Visual Effects Assessment (UDLVA). In particular, this UDLVA addresses OLL's more elevated land on the south side of Tahuna Road adjoining Lake Ohinewai and the Council Reserve land to the west but, also more generally in respect of the consideration of the wider expansion of Ohinewai as a mixed use 'river town' along the Hamilton to Auckland corridor.

Initial analysis has included mapping of expected flood levels in the locality with RL8m set as the 100 year flood extent following discussions with Waikato Regional Council. Initial analysis has also included consideration of the existing and preferred urban form for Ohinewai based on the settlement's other attributes. In undertaking this analysis, we have considered available information regarding Ambury's rezoning and development intentions.

As an outcome of the initial analysis, we have identified a parcel of more elevated OLL land (approximately 39ha) on the south side of Tahuna Road opposite the proposed Ambury development for further consideration and masterplanning (OLL site). Initial masterplanning suggests the OLL site could support some 23ha of land for urban residential development and approximately 16ha of open space / wetland adjoining Lake Ohinewai and the Council Reserve. The OLL site is currently zoned Rural within the PWDP. It is also zoned Rural within the Operative Waikato District Plan.

Key figures incorporated within the text of this report are provided at Appendix 1: A3 Graphic Supplement document.

## 2.0 Ohinewai

The small established rural settlement of Ohinewai lies on the east banks of the Waikato River some 9km north of Huntly. The settlement has a small population of about 250 residents and appears to have somewhat declined since the construction of the Waikato Expressway, SH1, to the immediate east which bypassed the village.

There are no longer any retail / food and beverage commercial services in the settlement, with the Hall and disused commercial strip a reminder of more prosperous times. The Hall, which is a Council owned facility, was first opened in 1914 and replaced by the current building in 1994. Ohinewai School caters for students in years 1 to 8 and has a healthy role of some 150. The school has capacity for growth.



Figure 1: Local Context.

The village stretches along Ohinewai North Road and Ohinewai South Road parallel with the Waikato River. Ohinewai Landing Road forms a cross roads in the centre of the settlement accessing a short distance west to the river stop bank and river and east to cross over firstly

SH1 and then the North Island Main Trunk Railway (NIMTR) rail corridor becoming Tahuna Road. Tahuna Road is a frequently used alternative route east to access towns including Matamata and Morrinsville, and to travel over the Kaimai Ranges to the Bay of Plenty / Tauranga.

There are a range of small scale business enterprises in the settlement as well as suburban style residential housing and some large lot development.

The east side of the rail / SH1 corridor, Lumsden Road, (north of Tahuna Road), supports a small cluster of former rail housing (approximately 6 lots) and a number of older and more recent rural lifestyle properties that are located on the flat. Historically the Ohinewai Rail Station was located on the east side of the rail corridor. It is understood that the Rail Station was closed for passenger services in 1965 and for goods in 1978.

Under the PWDP Ohinewai is predominantly zoned Rural, with Country Living Zone to the south which is currently largely undeveloped and in rural landuse. In the centre of the settlement at the corner of Ohinewai North Road and Ohinewai Landing Road there is a strip of Business Zone and along Lilley Lane there is a confined area of Village zoned land (refer Figure 2 below). The Ohinewai Reserve, which is zoned Reserve, is located east of SH1 and adjacent to Lake Ohinewai. The existing house lots on Lumsden Road to the east of SH1 and the NIMTR are within the Village Zone.

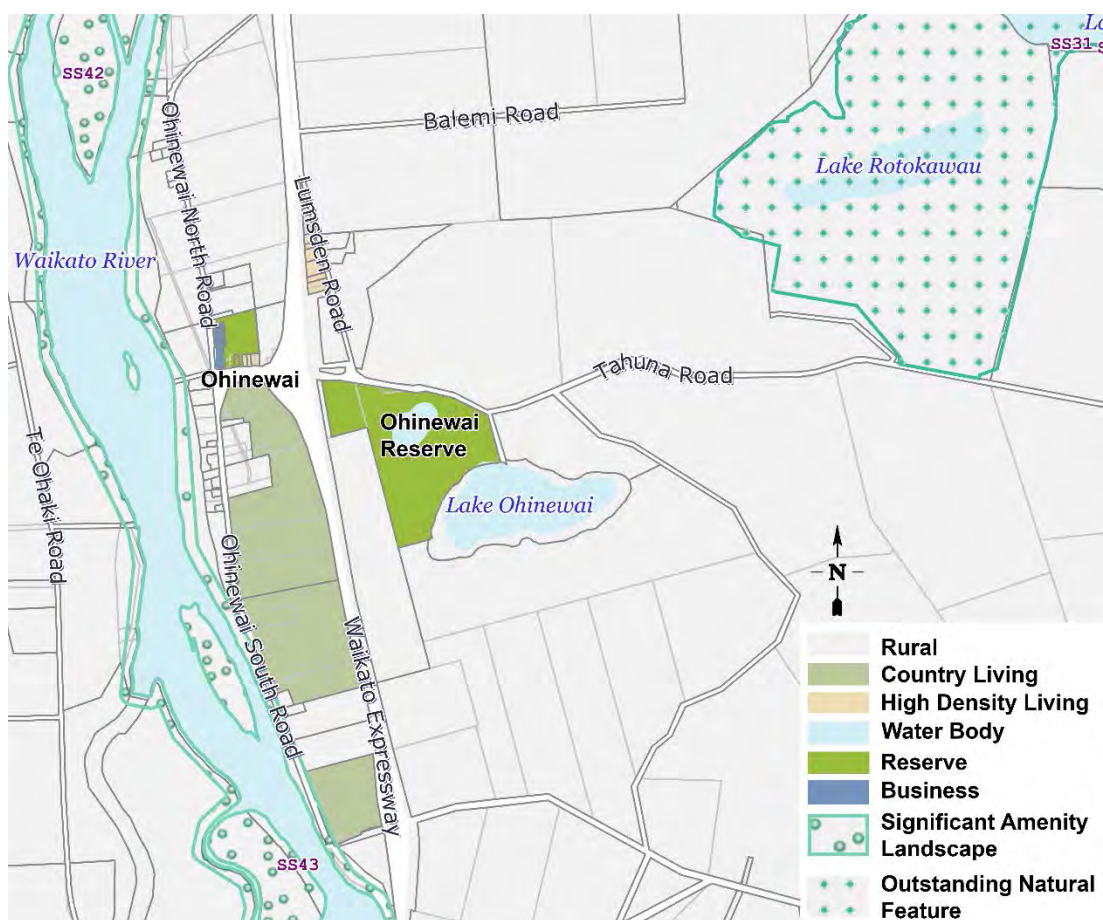


Figure 2: Proposed Waikato District Plan (notified version) Zoning.



Residential development within Ohinewai predominantly comprises single level dwellings on medium to large sized lots, and a small area of denser dwellings can be found at the south of the town where larger lots have been subdivided.

## 3.0 Existing Environment

### 3.1 Waikato River

The Waikato River and its margins are identified as a Significant Amenity Landscape in the Operative and PWDP, due to the iconic status of the river in the region, its cultural values and visual connections with the river from public viewpoints including SH1.

The future growth of Ohinewai is restricted in the west due to the settlement's proximity to the Waikato River and its flood protection embankments. Reinforcing this physical restriction is the need for future development to be cognisant of the landscape amenity values of the river and its cultural significance. Future industrial / business landuse is likely to be inappropriate in close proximity to the Waikato River both in respect of cultural values and due to visual amenity considerations.

### 3.2 Wider Landscape Context

The broader landscape character in the area surrounding the Ohinewai settlement comprises a highly modified mosaic of mixed farmland, large wetlands and numerous peat lakes including lakes Ohinewai, Rotokawau and Waikare (refer Figure 3 below), as well as the ecologically significant and large Whangamarino Wetland to the north.



Figure 3: Context including the extent of large scale waterbodies / wetlands in the flat basin landscape.

The topography largely comprises low lying land and areas of gently rolling hill-country. The Waikato River itself is a significant landscape and cultural feature flowing north to the river mouth at Port Waikato. The broad basin landform is defined by the Hapua Range to the east, the Taupiri and Hakarimata Ranges to the south, Kaketu and the coastal hills to the west and the Bombay Hills to the north.

The majority of the low lying land in the Ohinewai area is prone to flooding and has a high water table. Much of the pastoral grazing is enabled by drainage and pumping. This creates a landscape of long linear drainage channels and areas of poor pasture / wetland grasses.

Lake Ohinewai is an International Union for Conservation of Nature Protected Area category III Natural Feature.<sup>1</sup> Following degradation of the lake due to drainage works and pastoral grazing, a series of enhancement works have been undertaken in association with Waikato RiverCare to improve the biodiversity and water quality of the lake.

Figure 4 below is a map indicating flood prone areas of Ohinewai in the event of a 100 year flood event, assuming the water will rise to 8m RL. This indicates the vast extents of the land which has the potential to flood. To the east of SH1 the higher ground is typically located either side of Tahuna Road which runs along a small east-west ridge.

<sup>1</sup> Protectedplanet.net website – data provided by Department of Conservation (DOC), Te Papa Atawhai, Wellington, New Zealand, <https://www.protectedplanet.net/lake-ohinewai-stewardship-area>, accessed on the 07.11.2019.

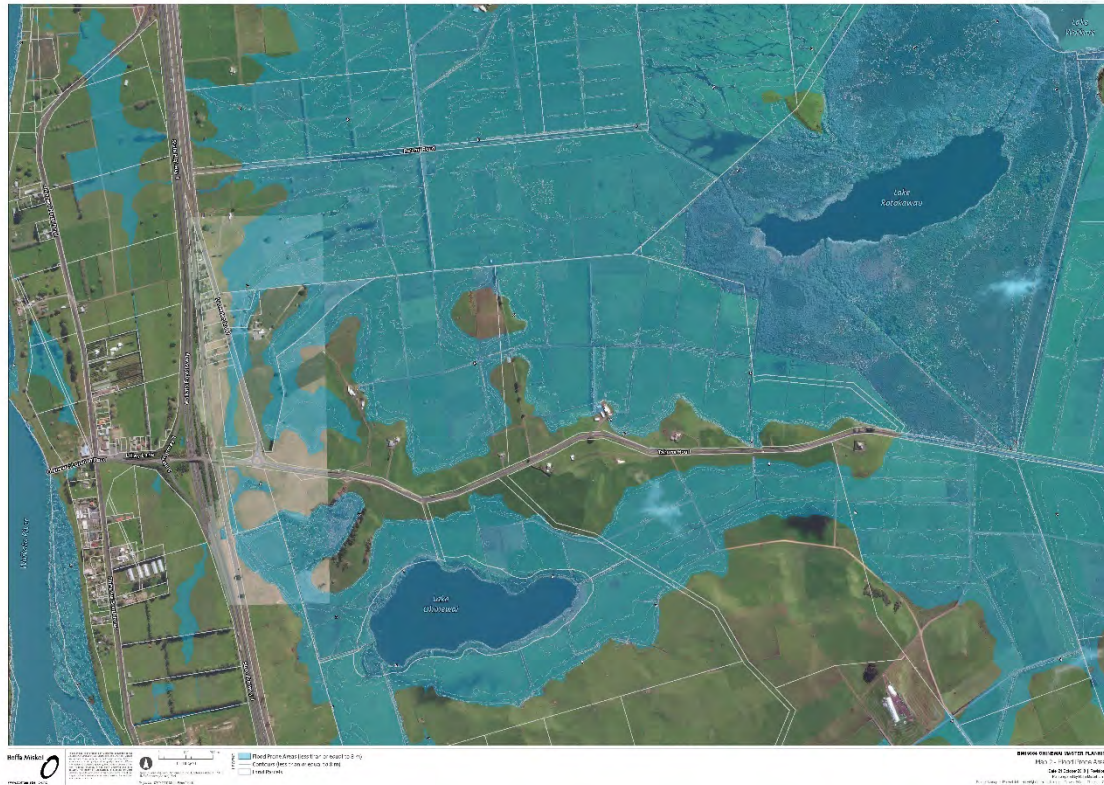


Figure 4: Flood extent set at RL8.

Land use predominantly comprises rural farmland amongst areas of wetland and pockets of remnant forest. Field patterns are generally geometric, defined by post and wire boundary fences. The geometric field patterns and linear farm drains combine to create a highly modified and managed landscape. Vegetation is limited to wetland scrub around the Waikato River, the peat lakes and Conservation areas, as well as some ecological enhancement planting around Lake Ohinewai undertaken by RiverCare. In addition, some small lengths of exotic shelter belts border some paddock boundaries.

Settlements are limited to the townships located close to SH1 / the Waikato Expressway. Huntly is the largest of the towns, followed by Te Kauwhata. The less substantial settlements of Meremere, Rangiriri and Ohinewai also lie in proximity to the Waikato Expressway (refer Figure 5 below). Outside of these settlements built form is limited to isolated farmsteads, agricultural buildings and individual dwellings sparsely distributed across the region.





*Figure 5: River towns / settlements along the Waikato River to the north and south of Ohinewai.*

Some industrial landuses also feature in proximity to Ohinewai on the east side of the rail corridor with a timber mill and house relocation business accessed via Lumsden Road which parallels SH1.

## 4.0 Urban Expansion Opportunities

Any potential future urban expansion of Ohinewai as a mixed use river town should respect the significant role that the Waikato River, road and rail infrastructure have played in the location and formation of the town to date. It is appropriate that the existing development density within the Ohinewai settlement to the west of SH1 and the interface with the river is maintained.

This is supported by the Waikato District Blueprint: Local Area Blueprint (LAB)<sup>2</sup> which encourages the investigation of the “potential for larger residential lots west of State Highway 1 and a mix of larger and smaller lots (for affordability) east of State Highway 1”.

Future urban expansion should maintain strong links with the established Ohinewai settlement whilst developing to the east of the SH1 transport corridor.

The proximity of The Comfort Group’s proposed Ambury mixed use urban development to SH1, the existing Ohinewai interchange, the NIMTR rail siding, which supports potential industrial development, and the established settlement of Ohinewai provide an obvious logic for additional urban development in this location. The proposed Framework Plan put forward by Ambury for its approximately 176ha landholding is understood to currently take the form of development illustrated in Figure 6 below.



Figure 6: The Ambury proposed Framework Plan.

The potential future further expansion of Ohinewai to the OLL site to the south of Tahuna Road takes advantage of the naturally higher ground and the significant opportunity to connect to the amenity of the Council’s Ohinewai Reserve and Lake Ohinewai.

Urban development more or less symmetrically fronting onto both sides of Tahuna Road will also establish a stronger eastern entry into an expanded Ohinewai settlement and better support reduced travel speeds - ideally 50km/hr - in this part of the settlement. In urban design terms it is important that future residential development doesn’t ‘turn its back’ on Tahuna Road and that linear, one sided, ribbon development is avoided.

<sup>2</sup> Waikato Blueprint, District and Local Area Blueprints – Waikato District Council, June 2019, <https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/plans/blueprints/local-area-blueprints/ohinewai-local-area-blueprint>



The OLL site, enjoys an elevated topography, the majority of which is above the RL8 flood levels, and is approximately 39ha in area with a 1.1km northern frontage to Tahuna Road. Figure 7 below illustrates the OLL site.



Figure 7: OLL site location.

Figure 8 below illustrates the location of Ambury's proposed mixed use development alongside the 39ha OLL site.



Figure 8: Location Plan showing the area of the Ambury proposed mixed use development to the north of Tahuna Road (marked cyan) and the OLL portion of land to the south (marked red).

The western and south-western extent of the OLL portion of land abuts the Department of Conservation (DOC) managed Lake Ohinewai and the adjoining Ohinewai Reserve which is managed by Waikato District Council.

The proposed open space / reserve in the OLL site adjoins Lake Ohinewai and would extend Ohinewai Reserve across the natural lower lying land, below RL8m, at the lake edge. This open space would have ecological and recreational enhancement opportunities associated with any future urban development in the area. The south-eastern and western extent of the OLL site is bordered by pastoral farmland. The land to the east is also owned by OLL.

The Ohinewai Reserve and Lake Ohinewai are severed from the remainder of the Ohinewai settlement by the SH1 and NIMTR rail corridors. There is no footpath on the bridges over SH1 and the NIMTR. There is also no footpath, parking or other infrastructure to enable public use of the reserve which is presently undeveloped for recreational purposes.

The WDC Reserve Management Plan<sup>3</sup> identifies the reserve as swamp and grazed land with a low to medium ecological value with a lack of access and obvious sign posting or information boards. A central steep ridge is aligned north to south through the centre of the reserve, extending from Tahuna Road. The east facing slope of the ridge is predominantly grassland with a clump of specimen trees. The west facing slope of the ridge is populated with a mix of native and exotic trees and shrubs vegetation. The remainder of the site comprises wetland and grazed pasture.

This reserve has been recognised in the LAB as being under-utilised and suffering due to the lack of pedestrian connectivity. The LAB proposes an initiative to “add a pedestrian / cycling ‘clip-on’ onto the Tahuna Road bridge over the railway and over State Highway 1”. Future urban residential and mixed use development to the east of SH1 / the NIMTR corridor would support this outcome.

## 4.1 Mixed Use Development

From an urban design and community development perspective, the preferred form of urban expansion at Ohinewai would comprise both employment land – zoned business / industrial – leveraging off the accessibility of the area to road and rail transport, as well as residential and appropriately scaled service retail zones. This would provide an opportunity for future residents to live in close proximity to their employment and establish a self-sufficient community in terms of most of their daily needs, but with reliance on the wider Waikato area for larger retail and service requirements. This form of growth would support Huntly as the closest larger town as well as Hamilton as the regional centre.

Growth based on employment land without a supporting residential component will prevent the creation of a stronger local community at Ohinewai and lead to increased travel demand. Equally, residential growth without providing for employment will not support a complete community. It is not good urban planning to isolate different types of urban landuses or to locate industrial landuses, other than perhaps some forms of heavy industry, in a rural location away from other urban landuses.

Ohinewai has the strategic advantage of rail and road connectivity to support mixed-use development and an expanded employment as well as residential community. Such growth will support the established community including Ohinewai School, the Hall and assist in enabling the development of reserves for community use and enjoyment. It will also enhance conservation management and potentially tourism outcomes including opportunities for cultural, conservation / wildlife observation and recreational tourism for example.

---

<sup>3</sup> Waikato District Natural Parks – Reserve Management Plan, November 2018.  
[https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/reserve-management-plans/natural-reserves-management-plan-2018.pdf?sfvrsn=826882c9\\_2](https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/reserve-management-plans/natural-reserves-management-plan-2018.pdf?sfvrsn=826882c9_2)

The Waikato District Blueprint: Local Area Blueprint identifies that the Council's overall vision for the district is *"liveable, thriving and connected communities"*. The Blueprint, which has a 30 year outlook, was prepared by Waikato District Council and their consultants following public workshops with local communities, including a meeting held at Ohinewai which was attended by approximately 26 people. The outcomes of the public workshops were considered by the consultant team and Council staff through a design exercise for each local area and a district wide workshop was held involving key stakeholders.

For Ohinewai, the top priority initiatives were identified as building a strong identity for the town, clarifying the future of the reserve and ensuring that possible expansion contributes positively to the local community and addresses its own impacts such as traffic, noise, and visual.



Figure 9: Ohinewai map from Waikato Blueprint, District and Local Blueprints.

The Blueprint speaks to the need for an 'integrated approach' to growth at Ohinewai should industrial uses occur. These outcomes suggest community support for a mixed use approach to growth rather than an isolated industrial node. A mix of uses and the potential spatial extent for future development is indicated on the Ohinewai map which is contained within the Blueprint (refer to Figure 9 above).

## 4.2 The Ohinewai Lands Ltd Landholding

Should the rezoning of rural land on the east side of SH1 for the proposed Ambury development proceed, the OLL site to the south of Tahuna Road adjacent to Ambury provides further potential for future growth of the settlement. This land is described below.

The OLL site comprises a highpoint knoll rising to RL33m with the land adjoining the south side of Tahuna Road lying above RL10m. More elevated land within the Council's Ohinewai Reserve



to the west sits at up to approximately RL20m. The elevation provides opportunities for future residential lots within the area to have an attractive outlook over Lake Ohinewai and the surrounding rural area, as well as to more distant Huntly and the landmark power station.

This OLL site is currently used for pastoral farming contiguous with the wider rural OLL landholding. There is a single rural dwelling and two agricultural buildings within the OLL site. The area currently has a typical rural character and amenity with no particular features or amenity that set it apart from the wider rural landscape. Hills and a small ridgeline to the south of Lake Ohinewai form a more prominent local feature rising to approximately RL42m.

In the event that the Ambury proposal proceeds, future re-zoning of the OLL site could include urban residential as well as open space / reserve zones related to the topography of the land, with the potential to leverage ecological and recreational enhancement of Lake Ohinewai alongside the opportunity for residential development. Such future reserve land would adjoin and expand the WDC reserve adjoining Lake Ohinewai.

A potential form of urban residential development for the OLL site is illustrated in conjunction with the adjacent Ambury development and adjoining the Ohinewai Reserve (shown at Figure 10 below).

This layout seeks to connect with the Ambury street network and extend key streets to physically and visually terminate at the open space reserve to the south.

The OLL site has been master planned to provide a range of larger lot sizes – approximately 500m<sup>2</sup> to 600m<sup>2</sup> to complement the smaller lot / higher density residential masterplan of the proposed Ambury development. This form of development would yield approximately 235 lots within the approximately 23ha of land for development in the OLL site.

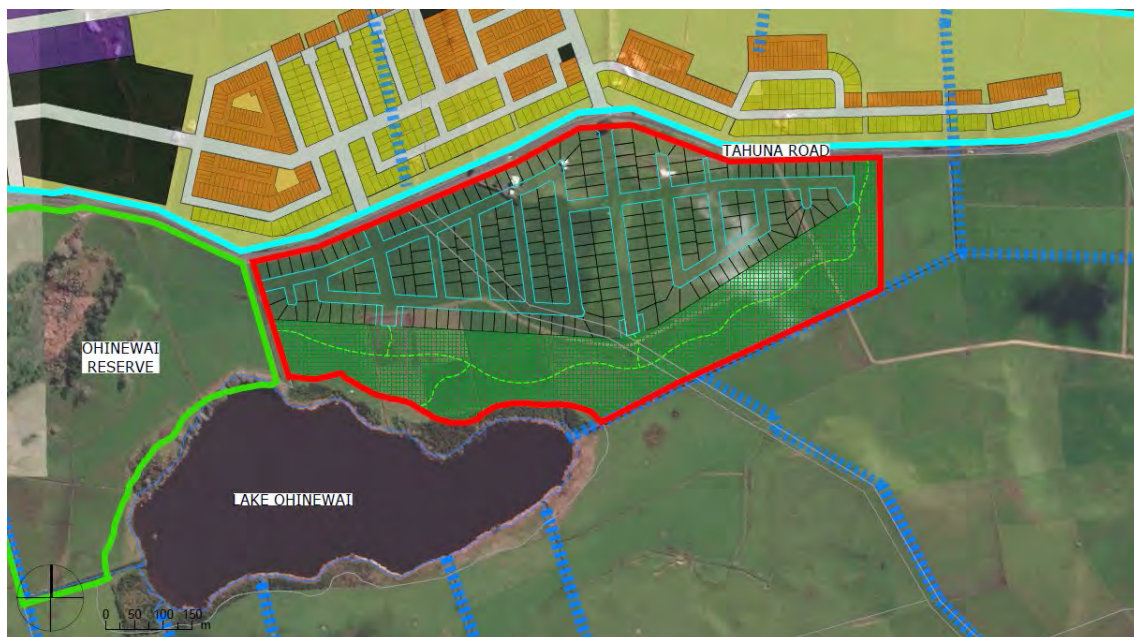


Figure 10: OLL Concept Masterplan shown in relation to Ambury frontage to Tahuna Road.

In conjunction with Ambury's proposed development and rezoning, the OLL site also has the potential to create a reserve corridor linking Lakes Ohinewai, Rotokawau and Waikare. The potential area of the reserve within the OLL site is approximately 16ha.

Figure 11 below illustrates the potential for the combined Ambury and OLL urban zoning to establish a wider open space / reserve network connecting Lakes Ohinewai and Rotokawau

and providing ecological and water quality benefits, as well as recreational and enhancement opportunities.

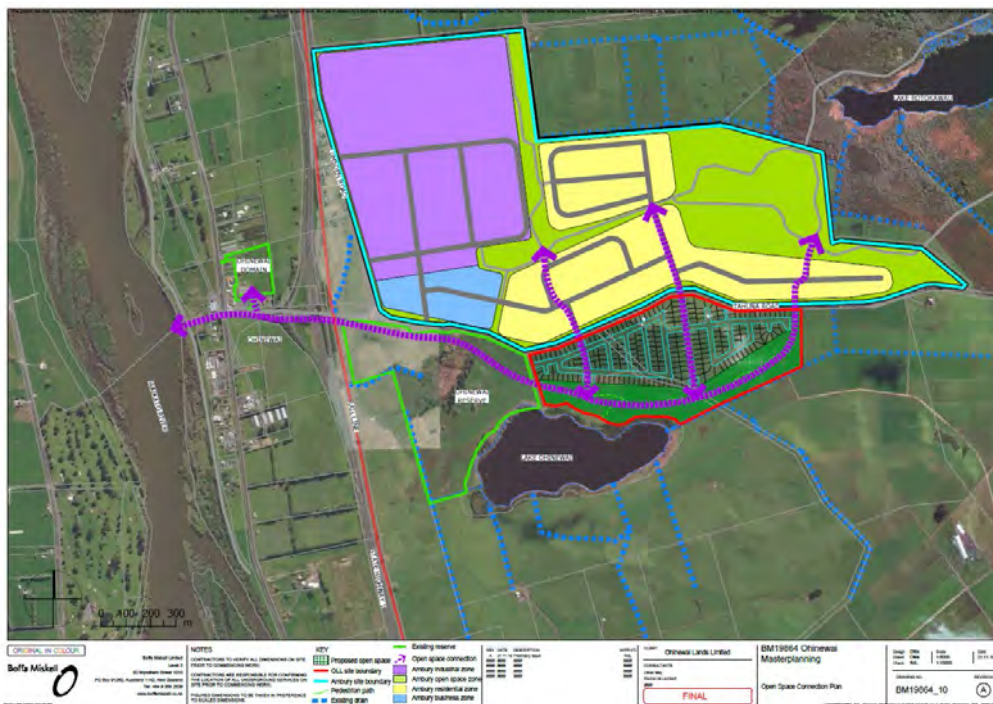


Figure 11: showing the potential open space and street connections linking the Ambury, OLL, existing reserves and the Waikato River.

## 5.0 Alignment Between Ambury and OLL

Expansion of the Ohinewai settlement to the east should ideally occur on both sides of Tahuna Road and create a quality urban environment with a desirable amenity and appropriate urban settlement streetscape.

In this respect we consider that a small number of refinements to the proposed Ambury Framework Plan / zone extent and provisions could be made to better align future urban development and achieve the desired quality urban and public realm outcomes. These changes are suggested on the understanding that the Framework Plan is likely to form the basis for a structure plan for Ohinewai.

In particular we recommend:

- a) Reducing the eastern extent of the Ambury linear residential strip extending along Tahuna Road to align with potential development of the OLL site, creating a symmetrical, two sided residential entry into the settlement. This will support a defined point for a potential travel speed reduction to 50km/hr. A strip of open space land (+/- 20m width) should define the edge of the urban area providing a contiguous open space connection between Lake Ohinewai and Lake Rotokawau.

- b) Removal of the open space buffer along the north side of Tahuna Road along the Ambury frontage and the requirement for residential lots / houses to address the street on both sides. The Framework Plan / PWDP provisions should avoid an outcome where houses effectively “turn their back” to Tahuna Road. The proposed buffer land would encourage backs to the road and reduce the opportunity to ‘de-tune- this as an urban, slower speed traffic environment within the township.
- c) Requirement for the two main street connections north (into Ambury) and south into the OLL land to align.
- d) Inclusion of the Ohinewai Reserve in the Framework Plan.

Figure 12 below illustrates the suggested refinements to the Ambury Framework / Structure Plan.

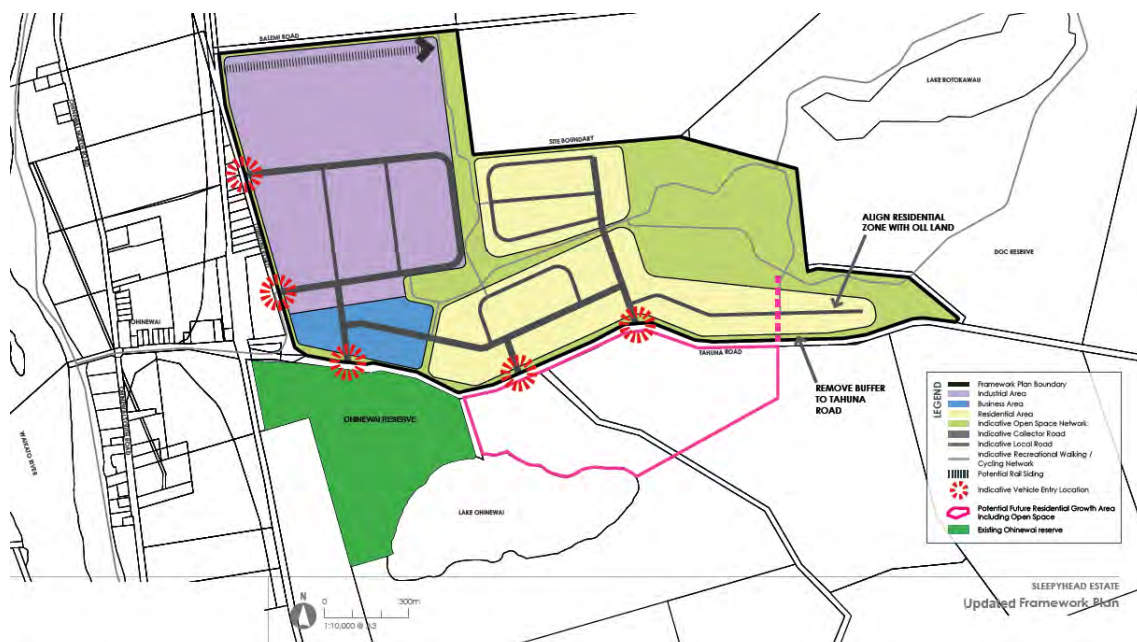


Figure 12: Suggested changes to the Ambury Framework Plan.

## 6.0 Visual Catchment

Should future urban zoned land extend to the east of SH1 and the NIMTR, the presence of Ohinewai as one of the ‘river towns’ of the northern Waikato would increase with a greater appreciation of the settlement associated with the Ohinewai SH1 interchange and Tahuna Road.

The primary viewing audiences in respect of such future urban expansion include:

- Road users including people travelling south and to a lesser extent north of SH1 / the Waikato Expressway, people travelling in both directions - east and west - on Tahuna Road and people accessing Lumsden Road from Tahuna Road. Users of Tahuna and

Lumsden Roads would have a direct interface with the development. Views from SH1 are more limited due to the intervention of undulating land in the Ohinewai Reserve and the raised NIMTR corridor.

- People accessing Ohinewai Reserve in the future, recognising that this reserve is not currently developed for public access. This could potentially comprise both local residents and visitors accessing the open space and recreational amenity of the reserve and Lake Ohinewai. Far reaching long distance views are available from the reserve, particularly from the higher land adjacent to Tahuna Road. Within the central low lying basin in the reserve views are restricted by the steep surrounding landform and mixed native and exotic vegetation. Open views towards the potential future urban area are available on the eastern extent of the reserve and its northern boundary to Tahuna Road.
- People (presently limited in number) in trains on the NIMTR including people on the Northern Explorer train who would have limited views towards the future urban zoned land due to the intervening undulating land in the Ohinewai Reserve.
- People in the small number of houses dispersed along Tahuna and Lumsden Roads. People living in rural dwellings along Tahuna Road have varied visual interactions with the proposed urban zoned land from glimpsed oblique distant views to more middle ground open views. Four residential properties on Tahuna Road have a close visual relationship with the subject area. Residential properties on Lumsden Road including long established former railway housing on smaller lots and more recent rural lifestyle development interface with the proposed Ambury development.

## 6.1 The Nature of Change for Potential Viewing Audiences

None of these potential viewing audiences are considered to be particularly sensitive to the nature of visual change that would arise from the urban expansion of the existing Ohinewai settlement to the eastern side of SH1.

Motorists and people on the train will be aware of the presence of Ohinewai as a settlement and, in the context of other significant urban expansion in the corridor between Hamilton and Auckland, further expansion of Ohinewai would not be unexpected or untoward.

People using the reserve have the opportunity to experience a natural environment within the reserve and are largely separated from adjacent development. At the same time, they are likely to be predominantly local residents benefiting from the expanded urban community.

People living within the established Ohinewai settlement west of SH1 will experience limited visual change due to the physical separation of the area proposed for future urban expansion / zoning to the east of the Expressway. Potential flow on benefits will relate to a greater local population supporting improved local amenities including local retail and daily needs services and access to improved and expanded recreational open space amenity.

Those with the potential to be most affected are the small number of established residents who currently enjoy a rural aspect and who will experience the change from a rural to an urban surrounds.



## 7.0 Assessment of Potential Landscape Effects

Landscape impacts result from natural or induced change in the components, character or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities or activities.

Re-zoning of land from rural to urban landuse brings about a substantial change to the existing character of the landscape. Extensive landform modification, the removal of vegetation and the introduction of new roads, other infrastructure and houses / built development occurs as a result of this change in landuse.

The nature of effects will be dependent on the resulting quality of the development, its streetscape amenity, provision of open space and the overall form, scale, character and quality of development.

Ohinewai is an established residential and mixed-use settlement and is thereby a locality where future urban expansion could be expected to occur. There is also an established presence of larger scaled industrial development and a past history of development based on the presence of the main north / south rail and road transport routes. These factors support the potential future increase in the scale of the settlement and to some extent reduce the potential adverse landscape and amenity effects associated with such an urban expansion.

Coupled with urban expansion there is also the opportunity, and imperative, for associated landscape enhancement including the potential for setting aside further land from rural landuse for ecological enhancement, particularly in respect of lake water quality and habitat creation. Such retired rural land will also have associated visual and recreational amenity.

## 8.0 Conclusion

Whilst significant landscape change would result from the urban expansion of the Ohinewai settlement to the east of SH1, such development would have a logic in respect of the long established community and could bring with it the opportunity for significant landscape and ecological enhancement in respect of the adjoining ecologically sensitive lake environments – lakes Ohinewai, Rotokawau and Waikare.

Such development could leverage off the strategic opportunity of rail based transport particularly in respect of industrial / business land and capitalise on the SH1 interchange.

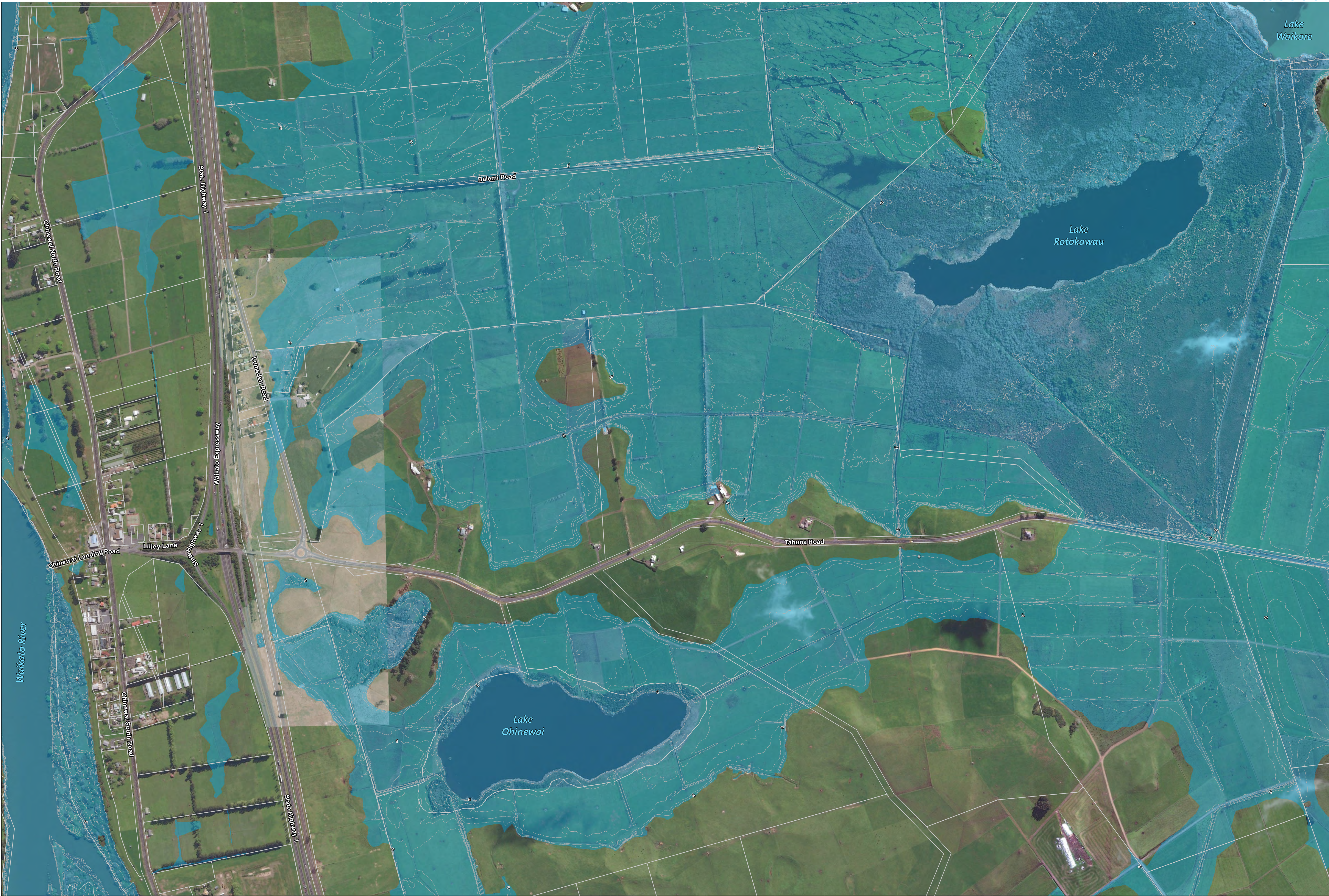
The existing landscape in the locality identified for potential future urban zoning / growth to the east of SH1 is not recognised for any particular landscape values comprising relatively unremarkable rural pastoral land. By contrast the established settlement adjoins the Waikato River which is recognised both for its cultural values and landscape amenity values. Some forms of urban development in proximity to the River, including forms of industrial development are unlikely to be appropriate.

Future urban expansion of Ohinewai to the east of SH1 has the potential to balance urban growth with landscape protection and ecological enhancement for the betterment of the wetland peat lakes in the vicinity. Furthermore, such urban expansion would support the urban regeneration and enhancement of the long established Ohinewai settlement which has over

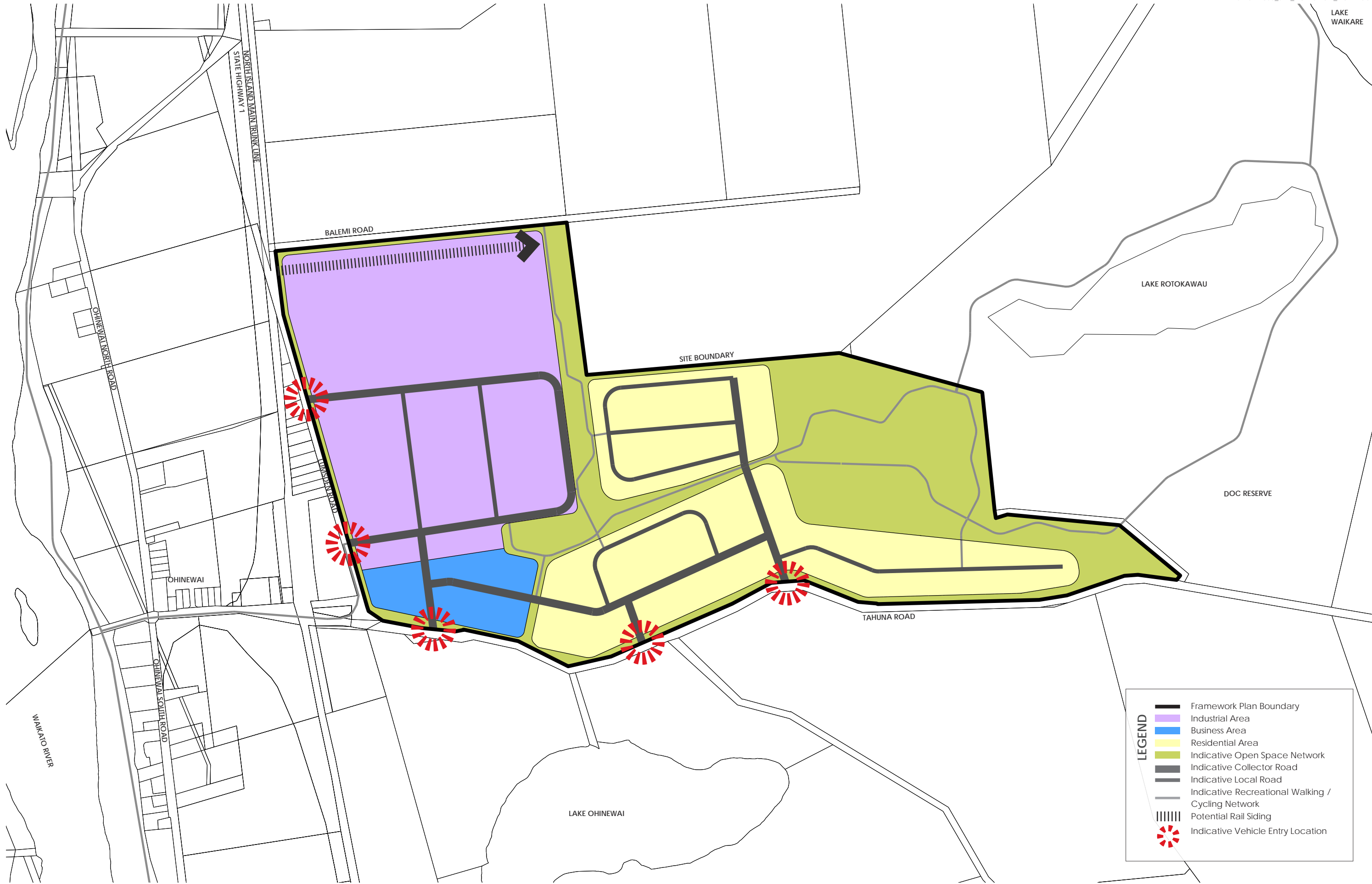
recent years declined. From an urban design and community development perspective, the preferred form of urban expansion at Ohinewai would comprise both employment land as well as residential and appropriately scaled service retail zones. This mix of uses is also consistent with the community aspirations expressed through the Ohinewai Blueprint which seeks an 'integrated approach' to growth at Ohinewai to create a strong identity for the town.

# APPENDIX 1: Graphic Supplement; A3 Figures













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FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

KEY

OLL Site Boundary

Ambury Site Boundary

Existing drain

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

APPR'D

RdL

###

CLIENT

Ohinewai Lands Limited

CONSULTANTS

Oliver May

Rachel de Lambert

###

FINAL

Ohinewai Masterplanning

Site Location Plan

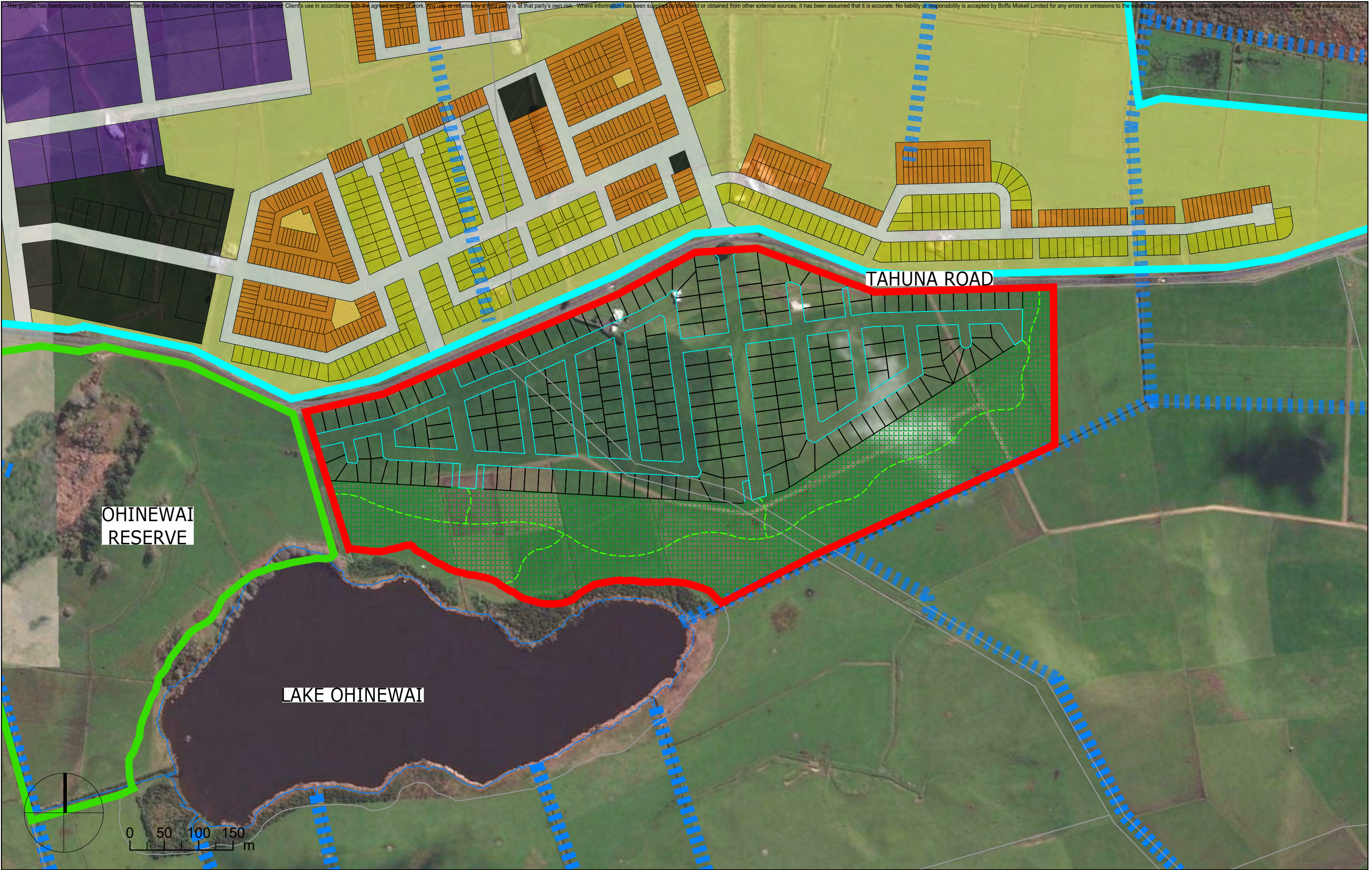
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FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

KEY

Proposed open space

OLL Site Boundary

Ambury Site Boundary

Pedestrian path

Existing drain

Proposed lot

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

Ohinewai Lands Limited

CONSULTANTS

Oliver May

Rachel de Lambert

###

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BM19864 Ohinewai Masterplanning

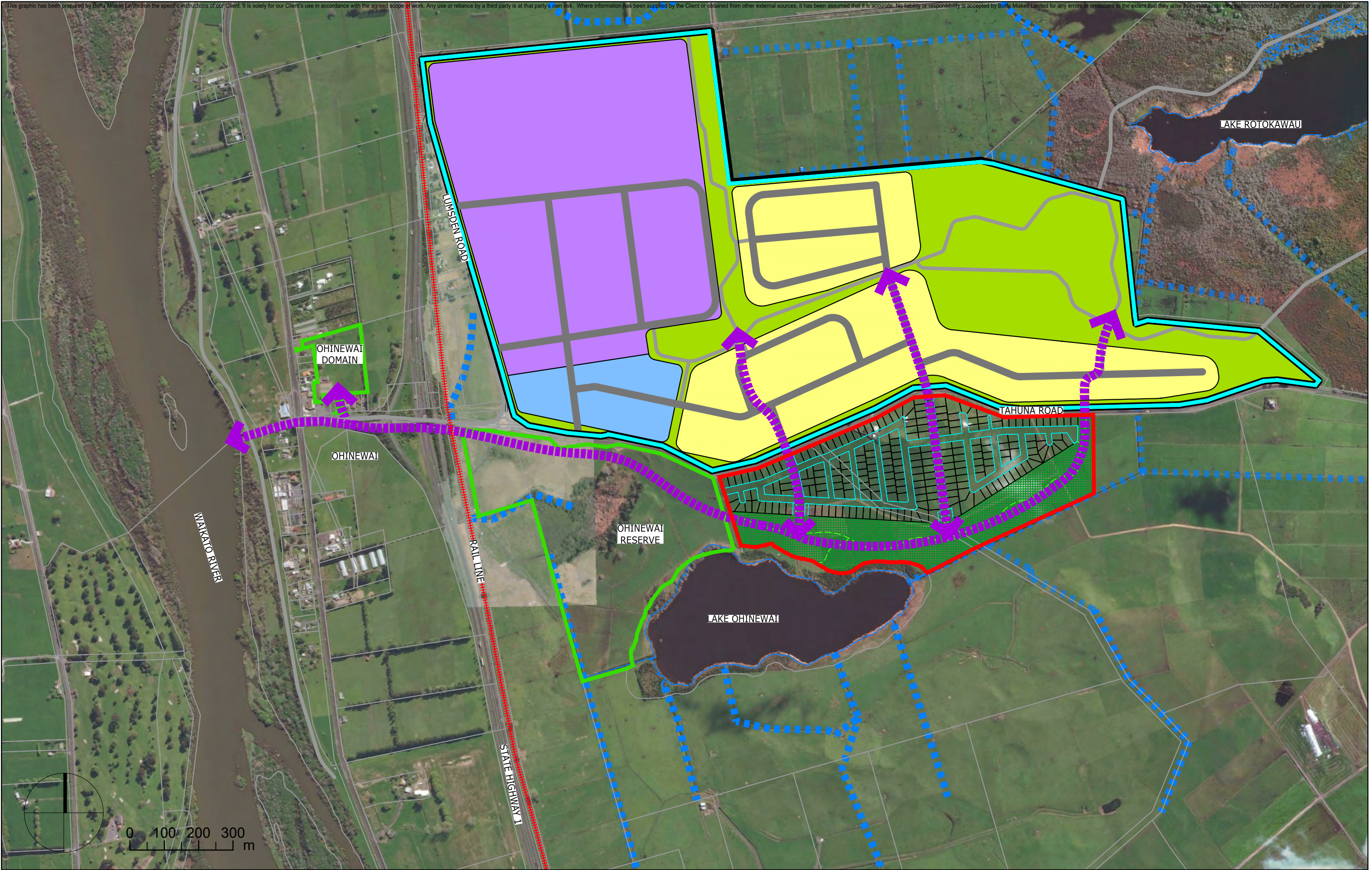
OLL Masterplan

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FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

KEY

Proposed open space

OLL site boundary

Ambury site boundary

Pedestrian path

Existing drain

Existing reserve

Open space connection

Ambury industrial zone

Ambury open space zone

Ambury residential zone

Ambury business zone

REV

DATE

DESCRIPTION

A

21.11.19

Preliminary Issue

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####

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APPR'D

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####

####

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CONSULTANTS

Oliver May  
Rachel de Lambert  
####

FINAL

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Masterplanning

Open Space Connection Plan

Design OMa  
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### **About Boffa Miskell**

Boffa Miskell is a leading New Zealand professional services consultancy with offices in Auckland, Hamilton, Tauranga, Wellington, Christchurch, Dunedin and Queenstown. We work with a wide range of local and international private and public sector clients in the areas of planning, urban design, landscape architecture, landscape planning, ecology, biosecurity, cultural heritage, graphics and mapping. Over the past four decades we have built a reputation for professionalism, innovation and excellence. During this time we have been associated with a significant number of projects that have shaped New Zealand's environment.

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## **APPENDIX 4**

# **INFRASTRUCTURE SERVICES ASSESSMENT (HARRISON GRIERSON)**

### 1.0 INTRODUCTION

Ohinewai Lands Limited (OLL) has made submissions to the Proposed Waikato District Plan (PWDP) relating to growth and development at Ohinewai. Further to this, Harrison Grierson have been appointed by OLL to undertake a high-level Infrastructure Services Assessment of approximately 39ha of privately-owned land in the Ohinewai area.

The land has been identified by OLL for potential future urban growth with an urban concept design indicating approximately 23ha of residential land and approximately 16ha of open space (OLL site). The purpose of this assessment is to determine the feasibility of servicing the OLL site with three waters infrastructure.

This feasibility assessment includes information on the following:

- existing services around the site
- potential service demand for the area if fully developed
- possible infrastructure servicing scenarios.

### 2.0 DESCRIPTION OF SITE AND LOCALITY

The OLL site lies to the east of Ohinewai at latitude 37°29'29.15"S and longitude 175°10'34.94"E and is located within the boundaries of the Waikato District Council (WDC). The OLL site currently consists of rural farmland with a single farmhouse and barn located on the northernmost part of the site.

The OLL site is adjacent to Tahuna Road and surrounded by Lake Ohinewai to the south-west and Lake Rotokawau to the north-east. The OLL site is also located just south of the proposed Ambury Development.

The OLL site covers a total area of approximately 39ha and has steep and rolling topography ranging from approximately 7m RL at the extents of the site to a centrally located hill peaking at approximately 33m RL.

**Figure 1** below indicates the locality and extent of the OLL site.

**Figure 1** Locality and extent of the OLL site





### 3.0 SOIL CLASSIFICATION & GEOTECHNICAL PROPERTIES

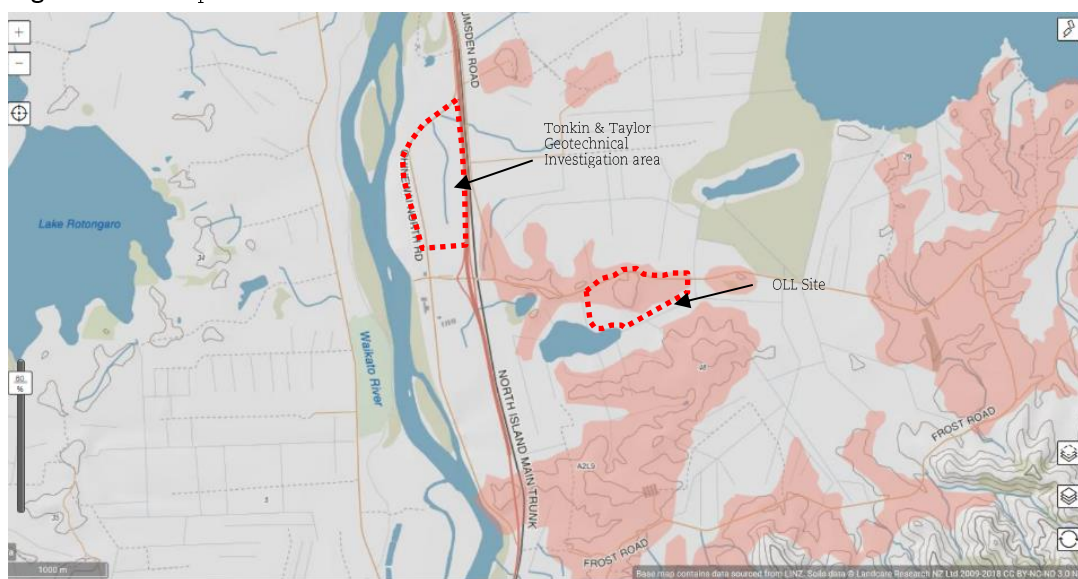
The published soil maps<sup>1</sup> for the area indicate that most of the OLL site is underlain by deposits comprising Orthic Granular Soils (highlighted in red in **Figure 2** below). Granular Soils are clayey soils formed from material derived by strong weathering of volcanic rocks or ash. These types of granular soils only occur in the northern part of the North Island and cover approximately 1% of New Zealand.

The remainder of the OLL site is underlain by Humic Organic Soils which are strongly decomposed or amorphous peat. Organic Soils are formed in the partly decomposed remains of wetland plants more commonly known as peat.

Published soil permeability maps indicate that the sites permeability rating is moderate. Permeability is defined as a measure of the rate that water moves through saturated soil. Soil permeability is important for this site as it will be used to assess the potential for stormwater soakage to ground.

A geotechnical investigation has not yet been commissioned for the OLL site to identify any geotechnical hazards. A geotechnical desktop study<sup>2</sup> has been completed by Tonkin & Taylor Ltd for a site just west of the OLL site (See **Figure 2**). This report has indicated that groundwater levels for that site range between 0.5m and 2.5m below ground level. Liquefaction-induced damage at the surface is unlikely to affect that site. Further, a summary within the report found that the site was geotechnically suitable for residential development. Due to the proximity of that site to the OLL site, it can be assumed that some of the geotechnical findings may also be applicable to the OLL site. However, due to the elevated nature and difference in soil composition, further geotechnical investigations are required to identify any geotechnical hazards specific to the OLL site.

**Figure 2** Soil Map



### 4.0 AREA IDENTIFIED FOR URBAN GROWTH

OLL has identified the OLL site highlighted in **Figure 1** and **Figure 2** above as a location for potential future urban growth which could accommodate approximately 235 dwellings and public open space adjacent to Lake Ohinewai. The potential for the future development of the OLL site relies on the successful rezoning and development of the proposed Ambury Development to the north of the OLL site. Ambury's proposal includes industrial, business, residential and open space land uses. The key strategic attributes of Ohinewai are its location between Hamilton and Auckland and its proximity to the Waikato Expressway and the North Island Main Trunk Railway.

Boffa Miskell are the appointed urban designers for this project and a concept plan for the OLL site can be found in **Appendix A**.

<sup>1</sup>Manaaki Whenua Landcare Research Soils Map Viewer <https://smap.landcareresearch.co.nz/>

<sup>2</sup> Tonkin & Taylor Ltd Submission on Proposed Waikato District Plan – Zoning of Land at Ohinewai – Planning Assessment 08 October 2018

## 5.0 OHINEWAI LANDS LIMITED

OLL owns a significant portion of land in the wider Ohinewai area. The OLL site spans over two property boundaries as highlighted in red in **Figure 3** below namely SA33A/52 and SA1250/17. The surrounding property highlighted in **Figure 3** below is other land which is owned by OLL.

**Figure 3:** Land owned by OLL



## 6.0 EXISTING SERVICES

Site information has been gathered from the following sources:

- Waikato LASS Data Portal
- Waikato Regional Council Lidar survey
- New Zealand Geology Web Map
- Manaaki Whenua Landcare Research Soils Map Viewer
- Waikato Regional Hazards Portal
- Geotechnical Investigations
- Site inspections.

### 6.1 EXISTING STORMWATER

Based on information retrieved from the Waikato LASS Data Portal, the OLL site is positioned in the Waikere (Lake Ohinewai) drainage district which is a 313ha drainage zone that forms part of a collection of drainage districts that drain into Lake Waikere.

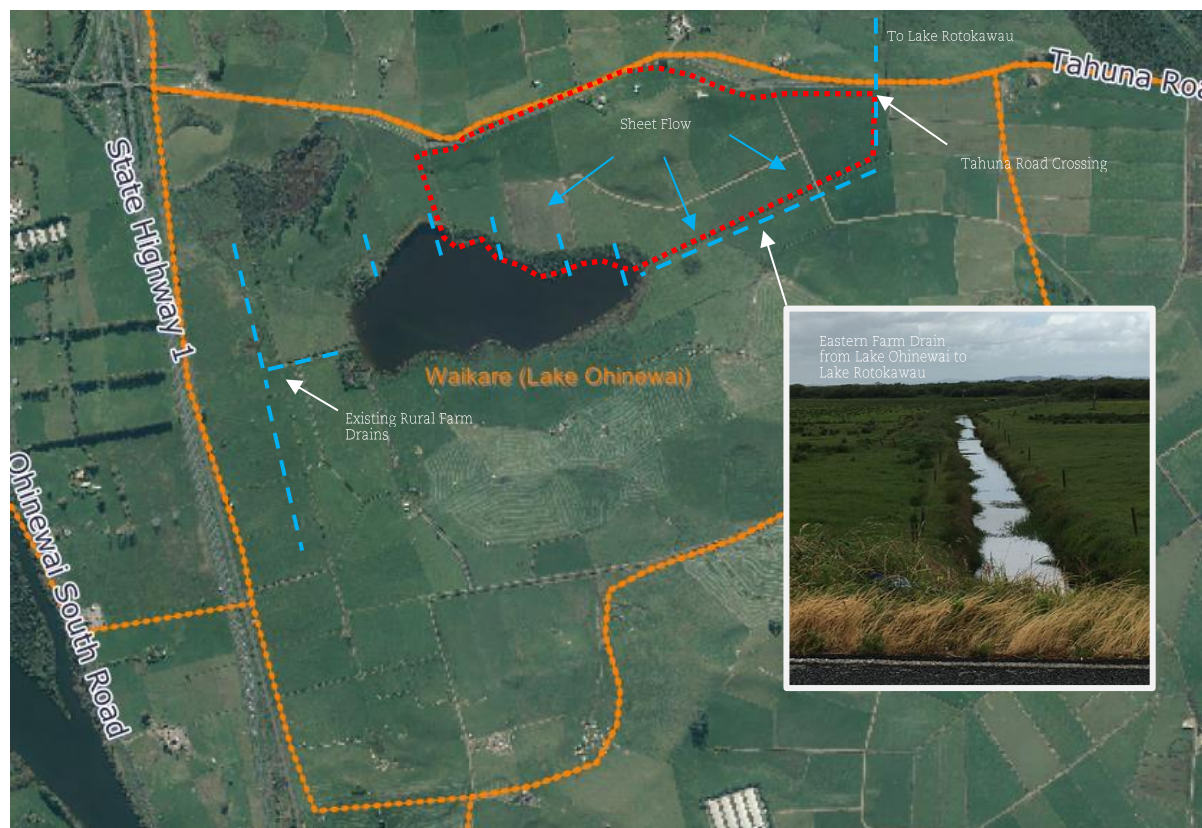
Stormwater in the western portion of the site travels over land via sheet flow and is then intercepted by a network of open rural farm drains which collect the runoff and discharge it into Lake Ohinewai (See **Figure 4**). The eastern portion of the site drains in a similar fashion but is intercepted by a farm drain located around the eastern perimeter of the site which transports water from Lake Ohinewai and passes under Tahuna Road before it is discharged into Lake Rotokawau.

Feedback from the WRC on the condition of these rural farm drains is that they are not in a condition to intercept or transport runoff from large flood events. The hydraulic efficiency of the existing drains that would be affected by the development would require further investigation to determine the nature and extent of remedial works.

Measures to mitigate the effect of flood events on the existing hydrological regime are further explored in **Section 8.1** of this report. These measures can be put in place in order to protect the physical structure of

downstream farm drains, streams and lakes and to reduce potential downstream flooding by managing the volume and quality of stormwater runoff.

**Figure 4:** Waikere (Lake Ohinewai) Drainage District & Site Drainage Layout



## 6.2 EXISTING WATER & WASTEWATER INFRASTRUCTURE

Ohinewai has a population of approximately 245 people. According to the Waikato LASS Data Portal, Ohinewai has no reticulated water or wastewater treatment infrastructure. Residents rely on on-site treatment and disposal of wastewater (i.e. septic tank systems) and boreholes and rain tanks for their water supply.

### 6.2.1 WASTEWATER

The nearest wastewater treatment plants are the Huntly Wastewater Treatment Plant (WWTP) which is approximately 4.6km south of the OLL site and the Te Kauwhata WWTP which is approximately 9.3km north of the OLL site.

The Huntly WWTP consists of an aerated lagoon coupled with a series of maturation ponds and a UV treatment unit. This plant has been consented to treat and discharge a maximum of 11,500m<sup>3</sup> of wastewater per day. The plant treats an average of 2,300m<sup>3</sup>/day with a maximum daily inflow of 10,000m<sup>3</sup>/day. Treated effluent is discharged to the Waikato River<sup>3</sup>.

Watercare has advised that the Huntly WWTP is fully operational, compliant and has spare capacity available, however Watercare was unable to indicate the extent of available capacity and further liaison would be required in order to determine this. This option is further explored in **Section 8.2** of this report.

The Te Kauwhata WWTP consists of aerated lagoons and has been consented to treat and discharge a maximum of 3,600m<sup>3</sup> of treated wastewater per day. The plant treats an average of 557m<sup>3</sup>/day with a maximum daily inflow of 2,061m<sup>3</sup>/day. Treated effluent is discharged into Lake Waikere<sup>4</sup>.

<sup>3</sup> 2013-2014 WDC Huntly Wastewater Treatment System Annual Report

<sup>4</sup> 2013-2014 WDC Te Kauwhata Wastewater Treatment System Annual Report



WDC has advised that further upgrades to this plant are currently being undertaken, however, this plant has been served with an abatement notice from the Ministry for the Environment due to non-compliance with the provisions of the RMA. It is unclear at this stage what the details of the abatement notice are, but due to the distance away from Ohinewai compared to the Huntly WWTP, the option of transporting effluent to this plant is likely to be uneconomical.

**Figure 5** below indicates the existing wastewater services in Te Kauwhata and Huntly in relation to Ohinewai.

**Figure 5:** Existing Wastewater Layout Plan from Waikato LASS Data Portal



### 6.2.2 WATER

The nearest Water Treatment Plants (WTP) are the Huntly WTP which is approximately 9.6km south-west of the OLL site and the Te Kauwhata WTP which is approximately 14km north-west of the OLL site.

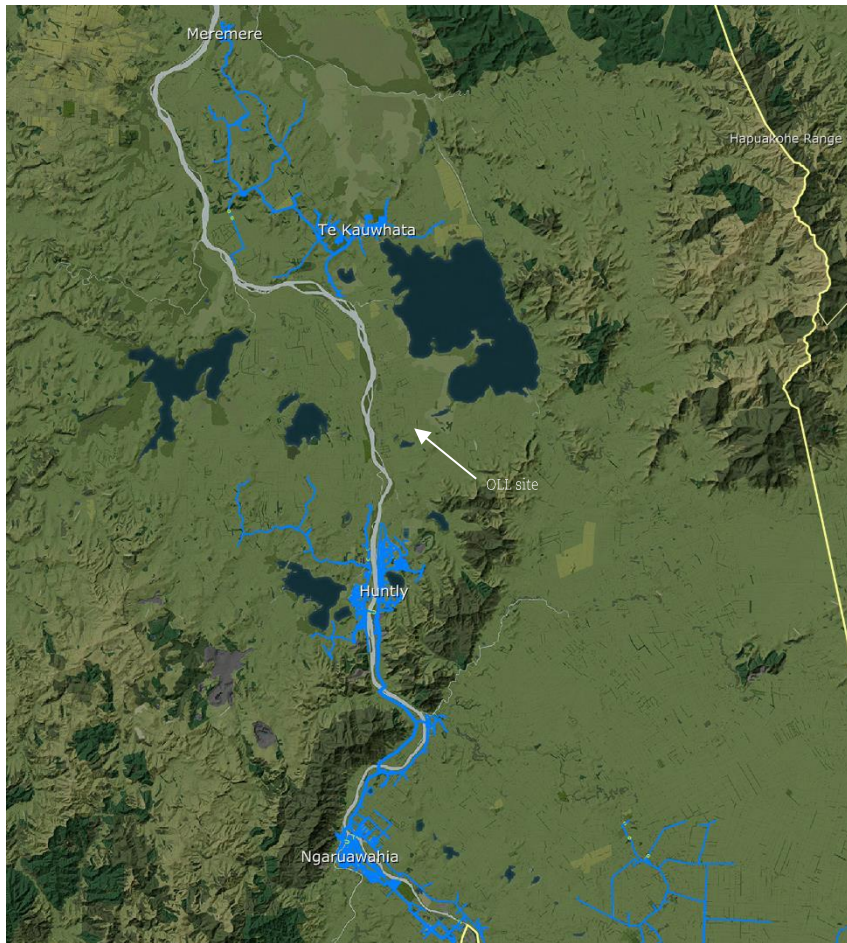
The Huntly WTP is located in the southern end of Huntly and provides potable water for approximately 7,340 domestic, commercial and industrial users with water that is sourced from the Waikato River and then treated utilizing a conventional coagulation, clarification, filtration and chlorine disinfection process. Once treated the water is pumped through to the towns reticulation to five storage reservoirs located around the Huntly area prior to distribution. A 355mm diameter uPVC bulk water main is currently operated from the Ngaruawahia WTP to the Huntly WTP to help with the productivity of Ngaruawahia WTP.

Feedback received from Watercare indicates that the Huntly WTP is operating well and has available capacity due to the fact that Huntly has experienced slow urban growth. However, the available capacity has been allocated to the Ngaruawahia WTP and to growth in Huntly. Huntly is currently utilizing half of its 8Ml/day capacity with 2Ml/day being transported to Ngaruawahia and the remaining 2Ml/day reserved for future growth in Huntly. Therefore, the allocation from the Huntly plant is essentially at capacity and upgrades would be required to service further growth than is currently planned for the Ohinewai/Huntly area.

Watercare has indicated that upgrades are currently being staged to increase the performance of the Te Kauwhata WTP and that, due to the distance that water would need to be transported from the Te Kauwhata WTP to Ohinewai, this option would likely be uneconomical. Further, Watercare has indicated that there is no available capacity at this plant. However, this outlook could change depending on the outcome of the servicing strategy for this area.

**Figure 6** below indicates the existing water services in Te Kauwhata and Huntly in relation to Ohinewai.

**Figure 6:** Existing Water Layout Plan from Waikato LASS Data Portal



### **6.3 LIAISON WITH WDC & WATERCARE & AMBURY DEVELOPMENTS**

HG has liaised with WDC and Watercare who, from the 1<sup>st</sup> of October 2019, began operating Waikato District's water and wastewater services. Watercare has advised that a servicing strategy to provide services between Huntly and Meremere is currently being put out to tender to their panel consultants. WDC has advised that a consultant will be appointed by the end of 2019 to start investigations into options to service the corridor. Preferred options will need to be selected before June 2020 when funding applications close. It could potentially take another 5 to 10 years for the preferred options to be fully operational.

HG understands from the Ambury Development team that they have provided WDC with options for interim/short-term solutions until the new strategy comes into effect. These solutions may consist of on-site wastewater treatment technologies ie. a modular packaged plant that will most likely deal with the industrial effluent flows initially and then residential effluent flows once the residential area has been developed. It is understood that water source solutions for the Ambury site could involve bore hole water extraction and/or a privately built treatment plant which would rely on Ambury securing the necessary water take rights from the Waikato River.

## **7.0 LOWER WAIKATO-WAIPA FLOOD CONTROL SCHEME (LWWFCS)**

### **7.1 OVERVIEW OF SCHEME**

The LWWFCS reproduces the natural retention functions of the Lake Waikare and Whangamarino Wetland by controlling the flood levels utilizing spillways, control flood gates and artificial canals. The scheme also consists of stopbanks and pump stations to mitigate the effects of flood events to surrounding properties.

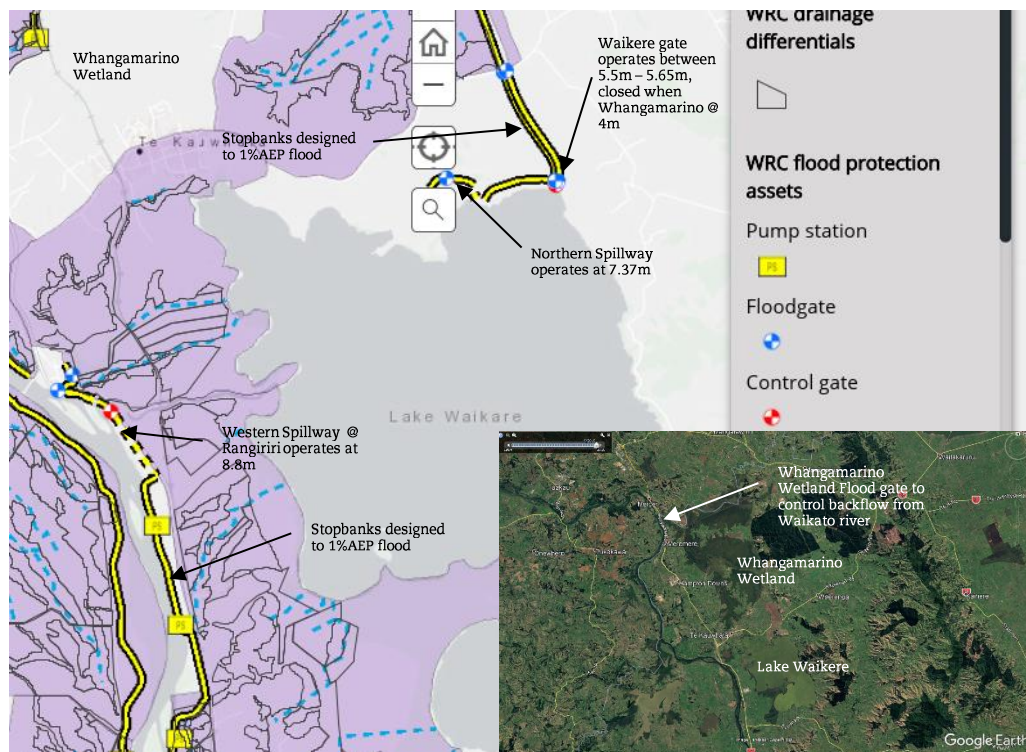


Water moves from Lake Waikere to the Whangamarino Wetland by means of artificial canals. A control flood gate located at the western outlet of the Whangamarino Wetland prevents backflow of water from the Waikato River into the Whangamarino Wetland.

Lake Waikere consists of a flood gate that controls the level of the lake between 5.5m and 5.65m. This gate is closed when the Whangamarino levels exceed 4m. Lake Waikere has two spillways, one to the west of the lake which has been designed to protect against the 2% AEP flood and one to the north of the lake which has been designed to protect against the 1% AEP flood. The western spillway operates when the flood levels in the Waikato River exceed 8.8m above sea level and the northern spillway operates when the flood level in Lake Waikere exceeds 7.37m above sea level.

The Lake Waikere – Whangamarino system has an approximate storage capacity of up to 95,000,000m<sup>3</sup> of water which exceeds the eight Waikato hydro dams which have a combined live storage of approximately 61,000,000m<sup>3</sup> of water.

**Figure 7** below is a layout of the scheme.



The scheme also consists of stopbanks and pump stations, as indicated in **Figure 7** above, which run along the eastern border of the Waikato River and the northern extent of Lake Waikere. There are also stopbanks which run parallel to the artificial canal between Lake Waikere and the Whangamarino Wetland. These stopbanks have all been designed to provide protection against the 1% AEP flood.

## 7.2 EFFECTS OF OLL'S PROPOSAL ON FLOOD STORAGE

HG has liaised with the WRC regarding potential 1% AEP flood levels around the Ohinewai area. Based on discussions HG have initially adopted a flood level of 8m RL. **Figure 8** indicates a map that was generated utilizing this information by highlighting all areas below the 8m RL.

**Figure 8:** Flood map indicating areas below the 8m RL



Utilizing this information HG has identified that approximately 30% (7ha) of the land area identified for residential development lies below the 8m RL. This information was then used to calculate the amount of fill material required to fill in the areas below the 8m RL. Utilizing a proposed maximum ground level of 18m RL across the OLL development site means that approximately 260,000m<sup>3</sup> of material would need to be cut from the existing hill on the site and only 55,000m<sup>3</sup> required to fill (leaving a surplus of 205,000m<sup>3</sup> of material). This surplus material could be removed from site or potentially utilized as fill on the Ambury Development if required. Refer to **Appendix A** for an indicative cut to fill plan indicating the concept residential layout and the areas to be cut and filled.

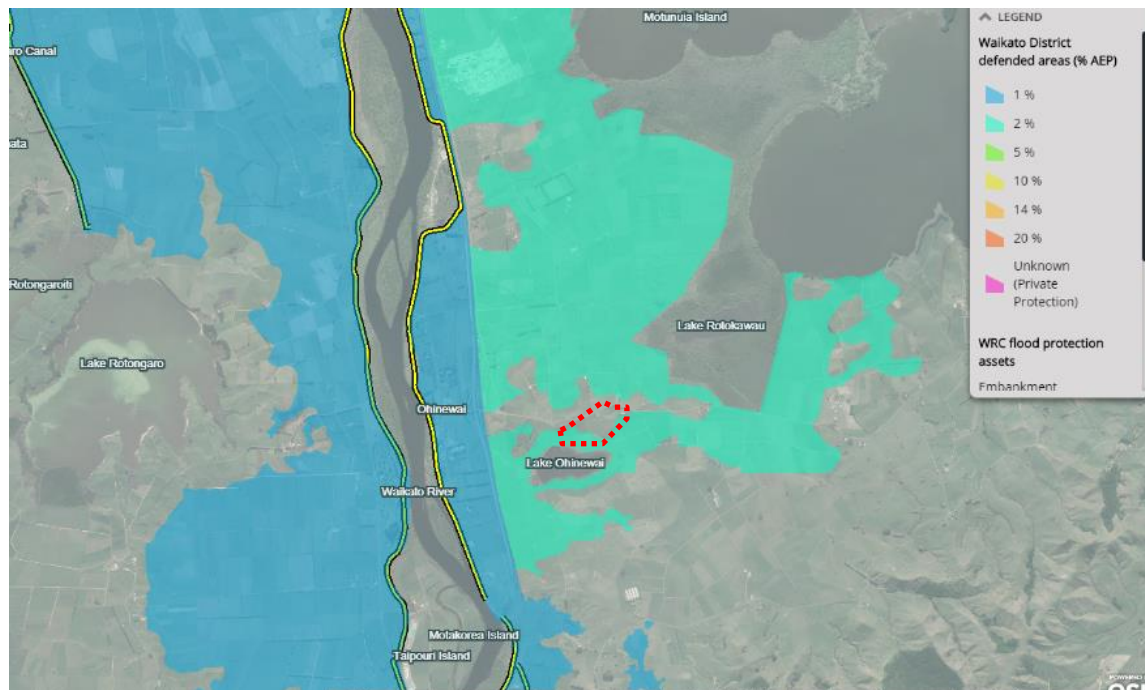
Earthwork filling activities in the floodplain will cause the displacement of flood waters elsewhere in the floodplain. This will therefore increase the risk of flooding surrounding properties that might not have previously been within the floodplain. To reduce the risk of adverse effects to surrounding properties, we recommend that the same amount of material used to fill the OLL site be removed elsewhere in the floodplain to achieve hydraulic neutrality within the floodplain. It is proposed that this be done on land owned by OLL (OLL locally owned land is indicated in **Figure 3**).

### 7.3 RESIDUAL RISK

Defended areas are those that are defended from flooding by structural defences such as stopbanks or floodwalls. Residual risk is the risk that remains to these defended areas should flood protection infrastructure such as stopbanks or floodwalls fail. The protection that this infrastructure provides is not all encompassing as it still has the potential to become overwhelmed or fail.

The Waikato Regional Hazards Portal provides information on these defended areas and **Figure 9** below indicates defended areas in the Ohinewai area. As can be seen from this map, the OLL site lies partially within this defended area. Careful consideration and further hydraulic investigations would be required to select a suitable area to offset the effect of filling on this site.

**Figure 9:** Waikato Regional Hazards Portal 2% AEP Defended Area



## 8.0 SERVICING REQUIREMENTS/OPTIONS FOR FUTURE DEVELOPMENT

The following section will highlight servicing options for the OLL site.

### 8.1 STORMWATER MANAGEMENT OPTIONS

The WLASS Regional Infrastructure Technical Specification (RITS), that relates to development of the Waikato area, broadly states that development should not increase peak stormwater discharge rates to receiving waters.

This generally means that stormwater flows from any development on the site will need to be managed within the development. This is normally achieved by discharging stormwater to ground and/or attenuating stormwater on site and releasing it slowly back into the natural watercourses.

An effective and efficient stormwater management system for a development site is usually best attained by maximizing the soakage of stormwater to ground to reduce the size of any attenuation system. Discharge of stormwater to ground on the subject site would also have the added advantage of recharging any areas of organic peat soils beneath the site.

Further to the above, a comprehensive stormwater management philosophy would need to be developed to further explore options and alternatives to treating and managing runoff. A brief summary of the potential methods to achieve this follows:

- roadside swales: used to convey run-off from roads and trap gross pollutants
- rain gardens: provides water quality improvement and some attenuation
- rainwater tanks: utilized on buildings and residential units to provide attenuation and water quality improvement
- wetlands: water quality improvement and attenuation (the OLL site presents the perfect opportunity to investigate an option like this)
- dry detention areas: attenuation to predevelopment levels (Not a likely option)
- sand filters: water quality improvement and limited attenuation
- filter strips: water quality improvement and limited soakage.



## 8.2 WASTEWATER MANAGEMENT OPTIONS

Options for bulk transportation of wastewater generated from the OLL site are largely dependent on the outcomes of the Watercare services investigation for wastewater reticulation and what decisions are made to service the Ambury Development in the interim. The most economical solution to managing wastewater from the OLL site would be to connect to a future public reticulation or treatment system. The Ambury Development team has indicated that they are looking into on-site treatment of their wastewater as a short-term solution.

Any other option would require on-site treatment of wastewater utilizing packaged plants such as septic tanks or an aerated wastewater treatment package plant to drip line irrigation. On-site systems may not be viewed favourably by WDC for a residential development of this nature.

Another option would be to pump wastewater to the Huntly WWTP which could involve a pipeline length in excess of 7km (depending on route selection), likely making this option uneconomical as a short-term standalone solution for OLL alone, bearing in mind that Watercare are potentially looking to implement a long term solution for the wider corridor in the next 5 to 10 years.

The preferred method of wastewater collection within the site is by gravity flow through small diameter pipes, which are connected to bulk collector pipes and ultimately drain via gravity to a wastewater treatment plant. Where the terrain is relatively flat these gravity lines tend to become very deep. In these situations, the costs and logistics of constructing deep gravity lines makes them unfeasible and wastewater pump stations are used to collect and lift effluent to a point where it can join a gravity main and flow to the treatment plant.

The estimated wastewater generation for the OLL site in compliance with the RITS requirements is as follows:

Domestic Average Daily Flow: 200l/p/d

Population: 45 people/ha

Area = 23ha = population = 1035 people

**Total Average Daily Flow =  $1035 * 200 = 207\text{m}^3/\text{day}$**

## 8.3 WATER SUPPLY OPTIONS

The same approach applies as discussed in Section 8.2 above in that it is unclear at the current time how water will be sourced for this site. Bore hole extraction is not a recommended approach for a residential development of this nature and a separate private treatment plant would require water allocation to be secured and would be expensive. Therefore, there are no immediate interim options available to service the OLL site which are likely to be practical to pursue. Once Watercare has provided a long-term solution it will then be a matter of connecting to this infrastructure provided it is designed with sufficient capacity to service the entire Ohinewai area.

The estimated water generation for the OLL site in compliance with the RITS requirements is as follows:

Domestic Average Daily Flow: 260l/p/d

Population: 45 people/ha

Area = 23ha = population = 1035 people

**Total Average Daily Flow =  $1035 * 260 = 270\text{m}^3/\text{day}$**

## 9.0 CONCLUSIONS

Due to the absence of any existing bulk water and wastewater infrastructure in the area, options to service the OLL site are currently limited. No suitable interim short-term solutions for water supply have been identified to service the OLL site. Interim wastewater solutions involving on-site treatment using septic tanks are unlikely to be acceptable to WDC. A package plant or a standalone connection to the Huntly WWTP have been considered but those options have a high possibility of being uneconomical.

Watercare has indicated the likelihood of servicing the corridor between Huntly and Meremere within the next 5 to 10 years with bulk wastewater and water supply infrastructure which could include services for

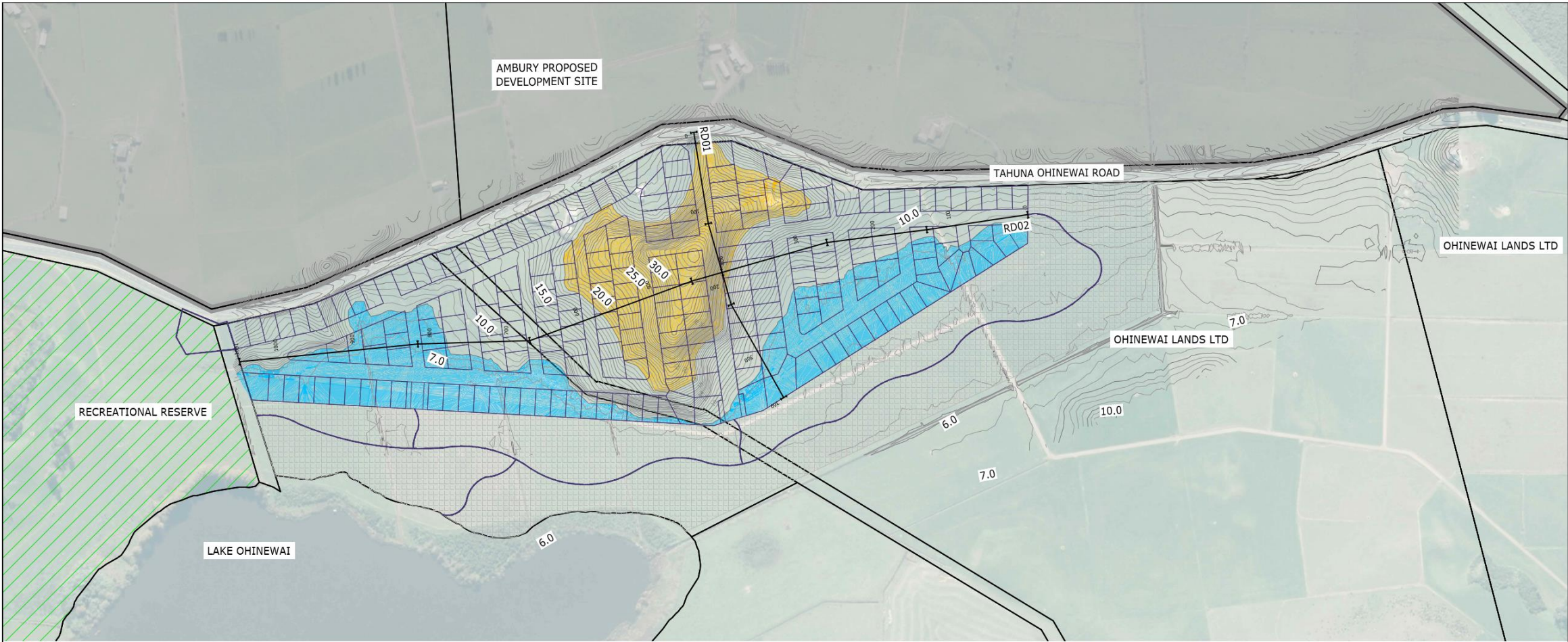
Ohinewai. We recommend that the infrastructure for Ohinewai is sized and designed with capacity for the OLL site based on the flow calculations contained within this report in order to accommodate potential future growth at Ohinewai.

From a flood hazard perspective, we consider that the risk of flooding in the OLL site can be mitigated by filling within the floodplain and offsetting land elsewhere to achieve hydraulic neutrality in the floodplain.

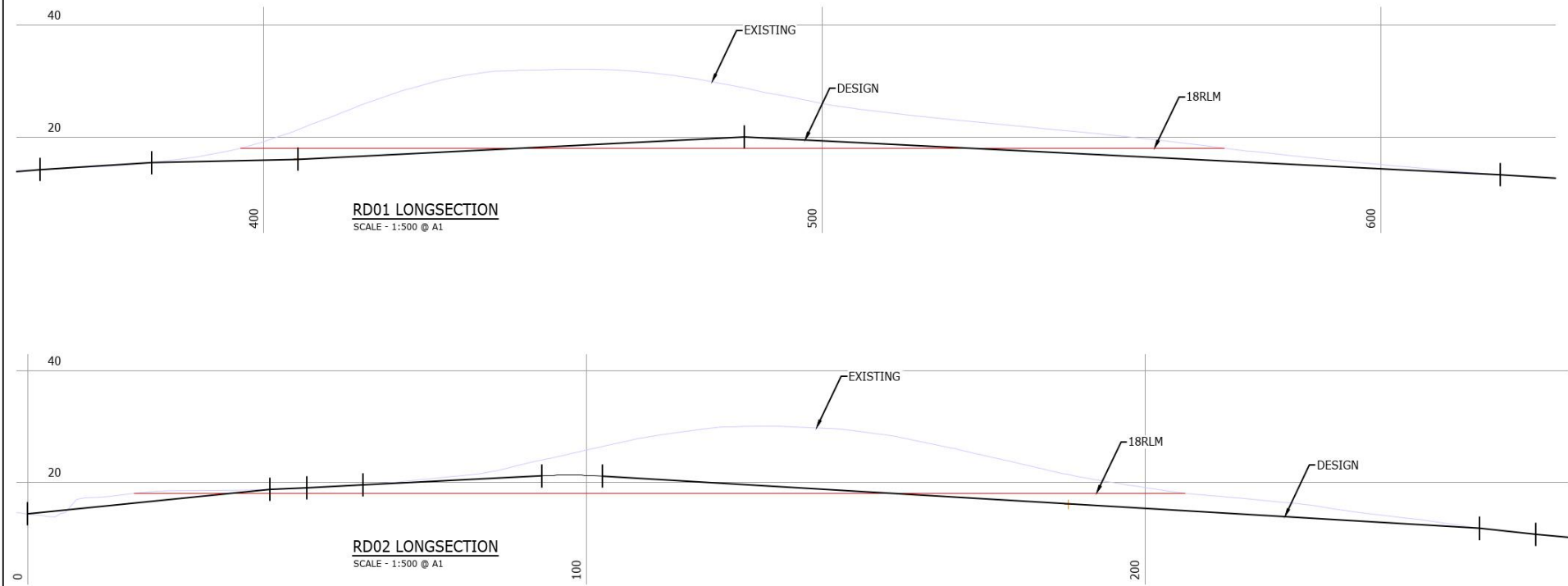
Initial investigation into the soil and geotechnical features of the site seems to be positive but further investigation is required to determine the suitability of a residential development on the OLL site.

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Annexure A



PLAN  
SCALE - 1:3000 @ A1



 ASSOCIATION OF CONSULTING ENGINEERS NEW ZEALAND

ISO 9001  
QUALITY ASSURED

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

LEGEND

AMBURY SITE

FILL TO 8RLM- 55000m³

CUT TO 18RLM- 260000m³

PROPERTY BOUNDARY

 HAMILTON OFFICE  
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W www.harrisingrierson.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:
DRAWN:	DATE:	SIGNED:	PLOT DATE:
CHECKED:	DATE:	SIGNED:	SURVEY BY:
APPROVED:	DATE:	SIGNED:	SURVEY DATE:

ISSUE STATUS:

FOR INFORMATION

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

FOR INFORMATION

## **APPENDIX 5**

# **ARCHAEOLOGICAL ASSESSMENT (W GUMBLEY LTD)**



# **Archaeological assessment of effects**

**Ohinewai Land Ltd, Ohinewai**

**Matthew Gainsford**  
**Reviewed by Warren Gumbley**  
**November 2019**

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## 1 Summary

Ohinewai Land Ltd (OLL) through Harrison Grierson (HG) have commissioned W. Gumbley Ltd to prepare the following archaeological assessment (Part road reserve, Allot 571 Taupiri PSH & Lot 1 DP 36936) (Figures 1–4).

Ambury Properties, the property-owning associate of New Zealand Comfort Group Limited (NZCG) who want to consolidate their operations at Lumsden and Tahuna Roads, Ohinewai has undertaken a similar assessment on adjacent lots north of Tahuna Road (Gainsford & Gumbley 2019).

This assessment provides the results from an archaeological walkover survey and a review of relevant historical documents of the OLL site including aerial photographs, historic maps, and the New Zealand Archaeological Associations (NZAA) national database, Archsite.

There are, in the surrounding area, recorded archaeological sites. However, within the proposed development area there are no recorded sites. Results from the walkover survey did not identify anything of archaeological interest.



Figure 1. Location of the OLL site (Source: LINZ).



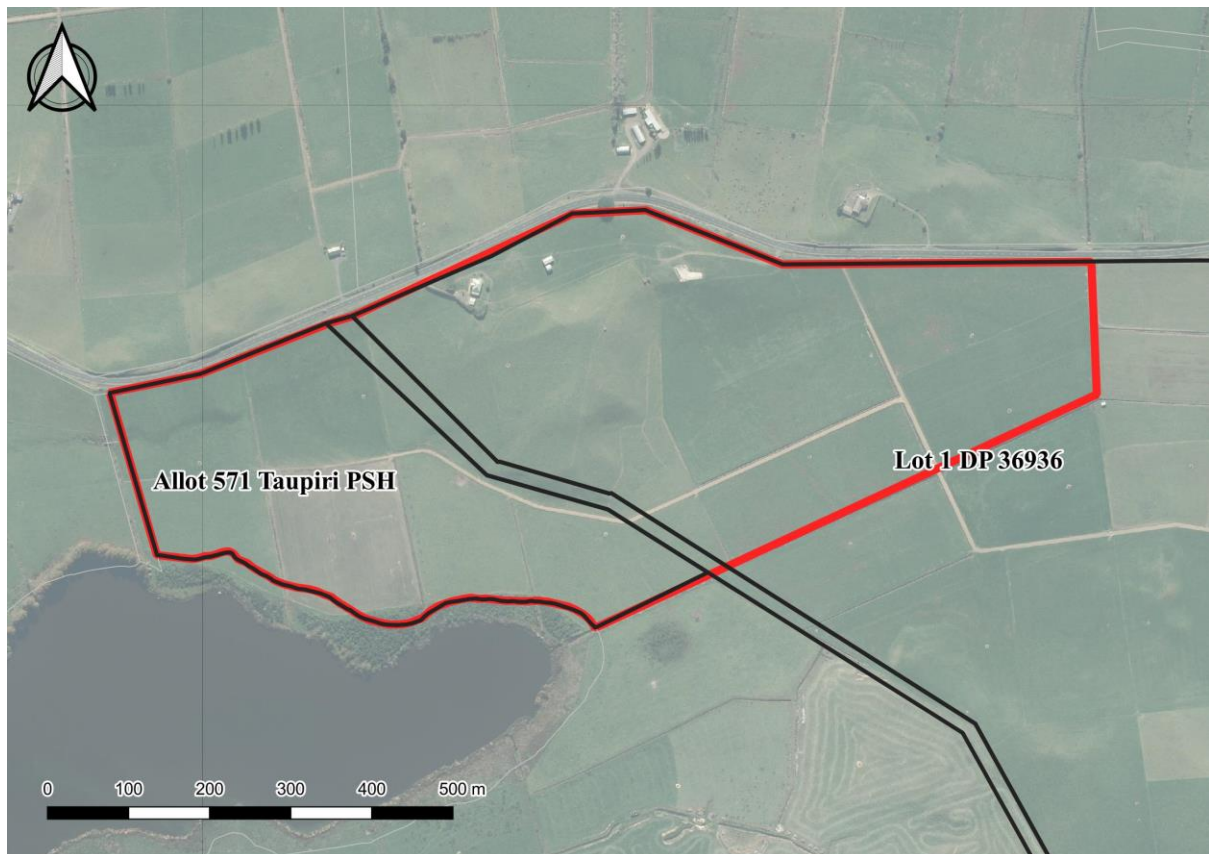


Figure 2. Land parcel titles affected by the OLL site. Another, not labelled, parcel affected is the road reserve running through the site (Source: LINZ).

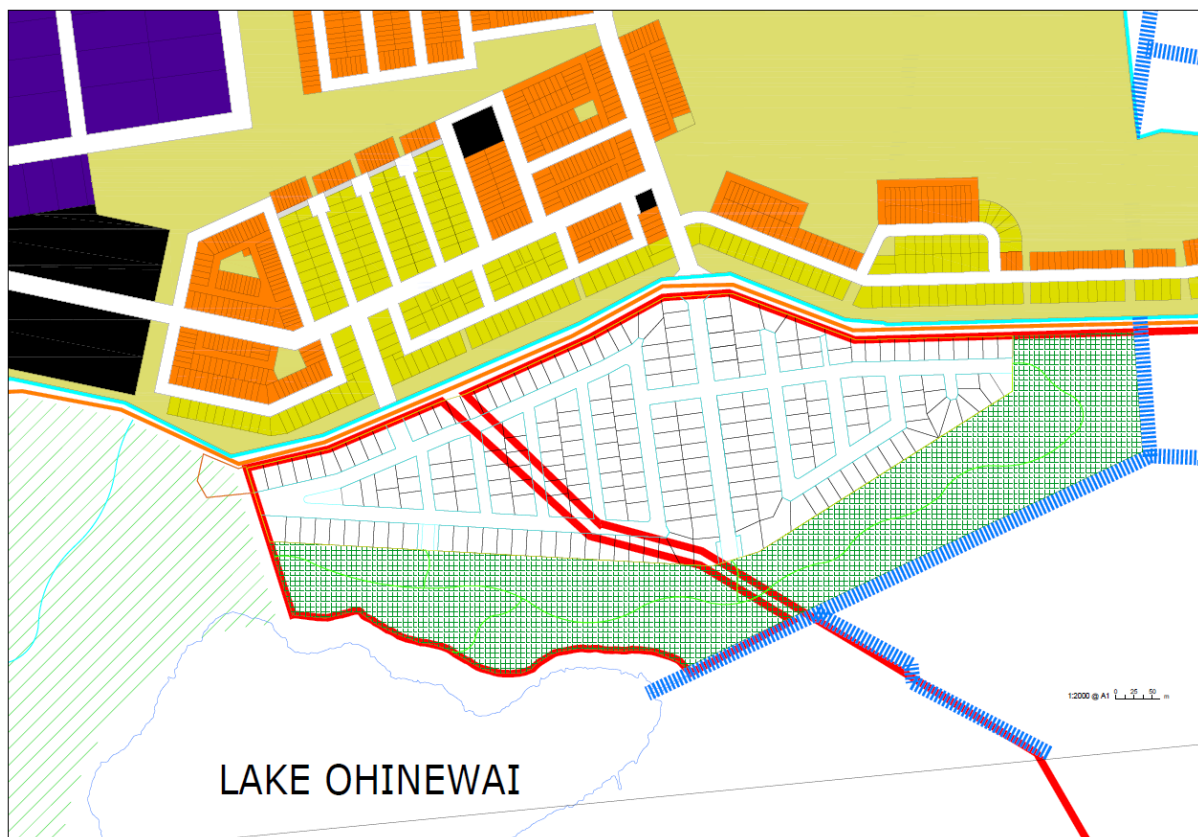


Figure 3. Masterplan for the OLL site (Source: HG).





Figure 4. Plan and elevation drawings for the OLL site (Source: HG).

## 2 Statutory requirements

The management of archaeological historical and cultural sites and landscapes are controlled by the Resource Management Act 1991 (RMA) and its associated District Plans and Regional Policy Statements. Archaeological sites are also explicitly protected through the archaeological provisions of the Heritage New Zealand/Pouhere Taonga Act (NZHPT). This Act prevents archaeological sites from being destroyed or modified without an authority from Heritage NZ.

### 2.1 The Heritage New Zealand Pouhere Taonga Act (HNZPTA) 2014

The purpose of the HNZPTA is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand (HNZPTA section 3). Heritage New Zealand Pouhere Taonga emphasises avoiding effects on heritage.

The HNZPTA provides blanket protection to all archaeological sites meeting the definition in the Act, whether they are recorded or not. Protection and management of sites is managed by the archaeological authority process, administered by HNZPT. It is illegal to destroy, or modify archaeological sites without an authority to do so from HNZPT.

The HNZPTA 2014 (s6) defines an archaeological site as:

(a) Any place in New Zealand including any building or structure (or part of a building or structure) that:

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where that wreck occurred before 1900; and

(ii) provides, or may provide through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) Includes a site for which a declaration is made under Section 43(1) of the Act<sup>1</sup>.

Any person who intends carrying out work that may modify or destroy an archaeological site, or to investigate an archaeological site using invasive archaeological techniques, must first obtain an authority from HNZPT. The process applies to sites on land of all tenure including private, public and designated land. The HNZPTA contains penalties for unauthorised site damage.

The archaeological authority process applies to all archaeological sites that fit the HNZPTA definition regardless of whether the site is recorded in the NZAA Site Recording Scheme or registered with HNZPT; or if the site only becomes known about as a result of ground disturbance; and/or the activity is permitted under a district or regional plan, or a resource or building consent has been granted, or the ground is subject to a designation.

The HNZPTA replaced the *Historic Places Act 1993* (HPA) in May 2014.

HNZPT also maintain the New Zealand Heritage List/Rārangī Kōrero (The List). The List can include archaeological sites. The purpose of The List is to inform members of the public about such places, and to assist with their protection under the RMA.

It is possible that archaeological sites, as defined in the HNZPTA, may be discovered during development of the site. Any archaeological sites identified during the ground works at this site will be protected under the HNZPTA.

## 2.2 The Resource Management Act 1991 (RMA)

The *Resource Management Act 1991* (RMA) requires Territorial Authorities to manage the use, development, and protection of natural and physical resources in a way that provides for the wellbeing of today's communities while sustaining the potential of natural and physical resources for future generations. The protection of historic heritage from inappropriate subdivision, use, and development is identified as a matter of national importance (section 6f).

Historic heritage is defined as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, derived from archaeological, architectural, cultural, historic, scientific, or technological qualities.

Historic heritage includes:

- historic sites, structures, places, and areas;
- archaeological sites;
- sites of significance to Maori, including wahi tapu;
- surroundings associated with the natural and physical resources (RMA section 2).

These categories are not mutually exclusive, and some archaeological sites may include above ground structures or may also be places that are of significance to Maori.

Where resource consent is required for any activity the assessment of effects is required to address cultural and historic heritage matters (RMA 4th Schedule).

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<sup>1</sup> Such declarations usually pertain to important post-1900 remains with archaeological values.

### 3 Physical environment and setting

The OLL site lies on circa 39 hectares. The OLL site is bounded by Tahuna Road in the north, recreational reserves including Lake Ohinewai in the west/southwest and farmland to the southeast and east. The northern extent of the OLL site area consists of a hillock/elevated ridge located adjacent Tahuna Road. The southern extent, which is near the northern margins of Lake Ohinewai, is low lying former swamp comprised of peaty topsoil and poorly draining subsoils. An east-west ridge extends from the northern boundary southwards into the proposed development area (Figures 4–5).

In general, the landform of surrounding/including the OLL site can be characterised as low hill-country with flat wet areas. No formal soil surveys have taken place in this part of the Lower Waikato Basin, therefore only high order soil classifications are available. Based on the Landcare Research soil maps expected soils types are classified as orthic granular (NO) on the higher elevations and humic organic (OH) on the flats (locally these are created by peat forming on alluvial silts).

Several lakes and the Waikato River are located close to the proposed development area (Figures 4–5)

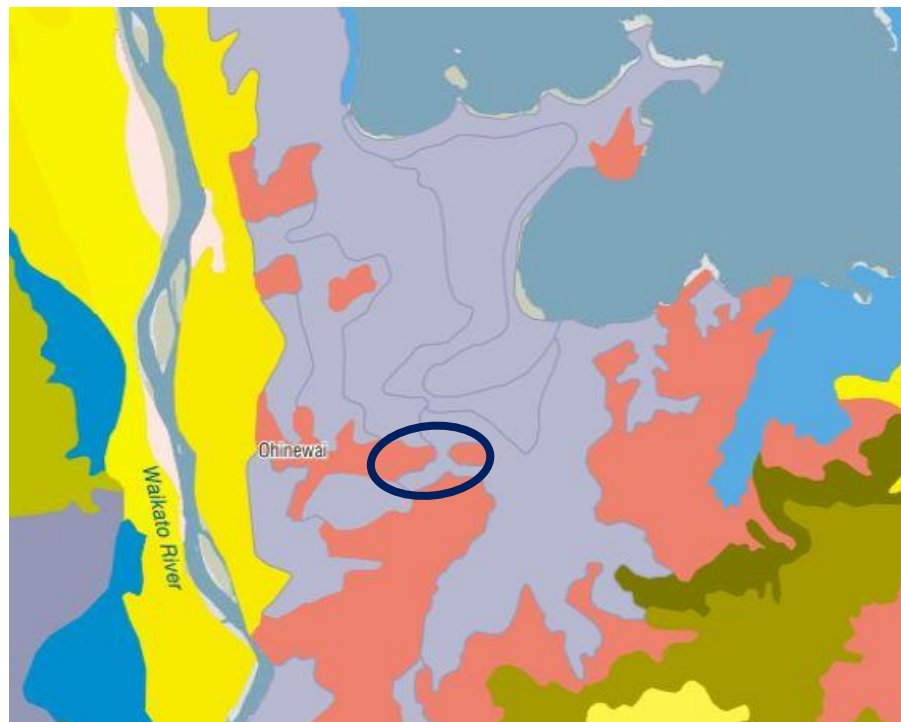


Figure 5. New Zealand soil classification for the area of the OLL site. Approximate location is denoted by blue ellipse (Source: Landcare Research).

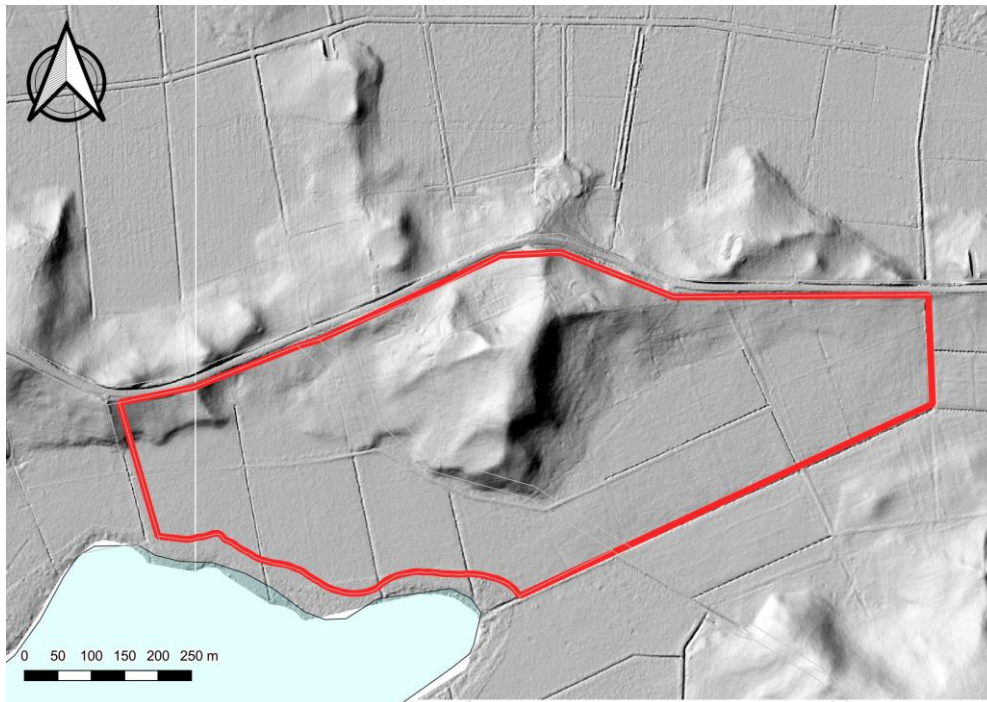


Figure 5. Hillshade model derived from LIDAR data of the OLL site (red outline) (Source: WRC).

In Figure 5 it is possible to distinguish the ridges from the flatter former swamp areas. In the northern half the landscape is dominated by an east west running ridge. Lake Ohinewai is visible in the southwest of the image.

#### 4 Recorded archaeological sites

A search of the NZAA online database ArchSite was undertaken to identify any archaeological sites either on the OLL site area or in its vicinity. Table 1 below shows archaeological sites within 2–3 kilometres of the proposed development area (Figure 6 & Table 1).



Figure 6. Recorded archaeological sites in the vicinity of the OLL site (Source: NZAA ArchSite).



Table 1. Recorded archaeological sites in the vicinity of the proposed development area (Source: NZAA ArchSite).

NZAA ID	Description	NZTM E	NZTM N
S13/26	Artefact find, greywacke adze 2B	1789500	5848360
S13/75	Terraces	1794404	5846868
S13/77	Pā	1790803	5847062
S13/163	Borrow pits	1791000	5846270
S13/164	Borrow pits	1790190	5847758
S13/165	Borrow pits	1790000	5848400

## 4.1 Previous archaeological surveys

### 4.1.1 Foster, R. 1983

An archaeological survey for proposed opencast and underground coalmines was surveyed archaeologically. Thirteen archaeological sites were identified during the survey including midden, pit/terrace, a find spot and a historic site (Foster 1983). None of the sites identified in Fosters report reside in the proposed area of development outlined in this report.

## 4.2 Possible unrecorded pā site

It was stated to Warren Gumbley during a meeting with local Iwi that there is a pā site located on the south side of Tahuna Road bordering Lake Ohinewai (Warren Gumbley pers. comm. 29 May 2019). The location is a promontory on a north south alignment (Figures 7–8). As part of the walkover survey Gainsford visited the site. Gainsford did not however, identify any surface visible features that would suggest a pā site was located on the ridge. However, this does not preclude the use of the ridge as part of activities focused on Lake Ohinewai.

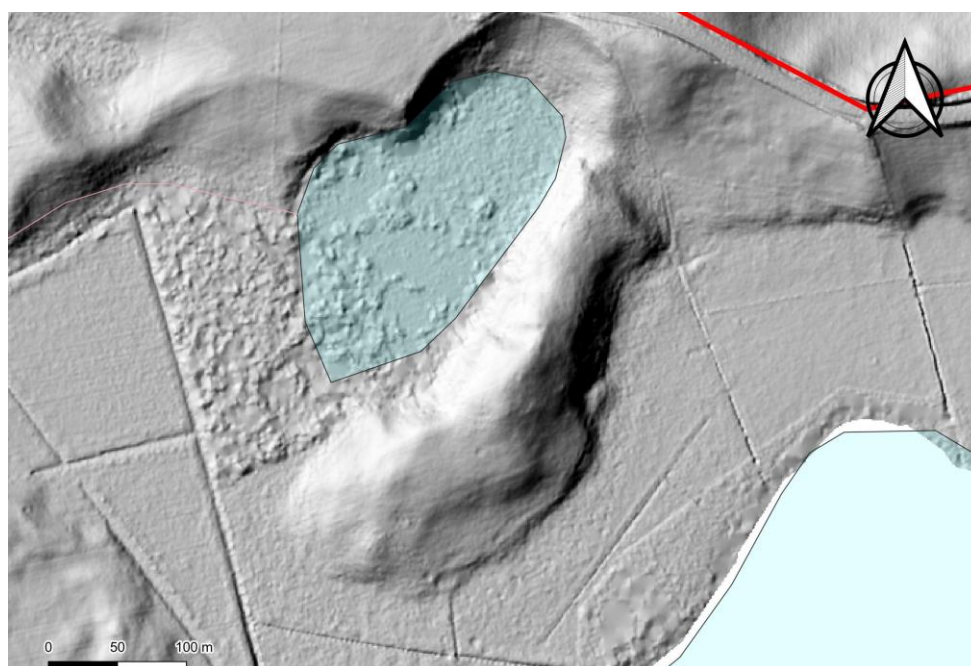


Figure 7. Ridge between Lake Ohinewai and another small body of water (Source: WRC).



Figure 8. Aerial photograph from 1940 series (SN155\_A\_7). The ridge is central in the image (Source Retrolens).

## **5 Methodology**

### **5.1 Historical survey plans and aerial photography**

A search of relevant survey plans was conducted to identify possible references to Māori occupation within the OLL site. Aerial photographs from the 1940s series to current series were also examined to determine if land use has changed over time.

### **5.2 Walkover survey**

A walkover survey was conducted of the OLL site by Matthew Gainsford of W. Gumbley Ltd on November 12, 2019. Survey concentrated on areas determined most likely to have associated archaeological features/sites. It concentrated therefore on ridges and higher elevations within the proposed footprint. Although the higher elevations were a focal point, all the proposed development area was surveyed.

Walkover survey included: a visual inspection of the area, soil testing of paddocks and ridges with a 50 millimeter hand-held auger and examination of drain cuttings. The general area was photographed.

## **6 Results**

### **6.1 Survey plans and aerial photography**

An examination of historic survey plans in Quickmap did not identify any notations of Māori occupation within the OLL sites footprint. Aerial photography series showed land use as primarily swamp and pastoral grazing. There is one annotation to a possible early farm in the ML 13102 plan called Armitage Farm although this is more than two kilometres north of the OLL site.

### 6.1.1 HNC SO 404 I\_1-2

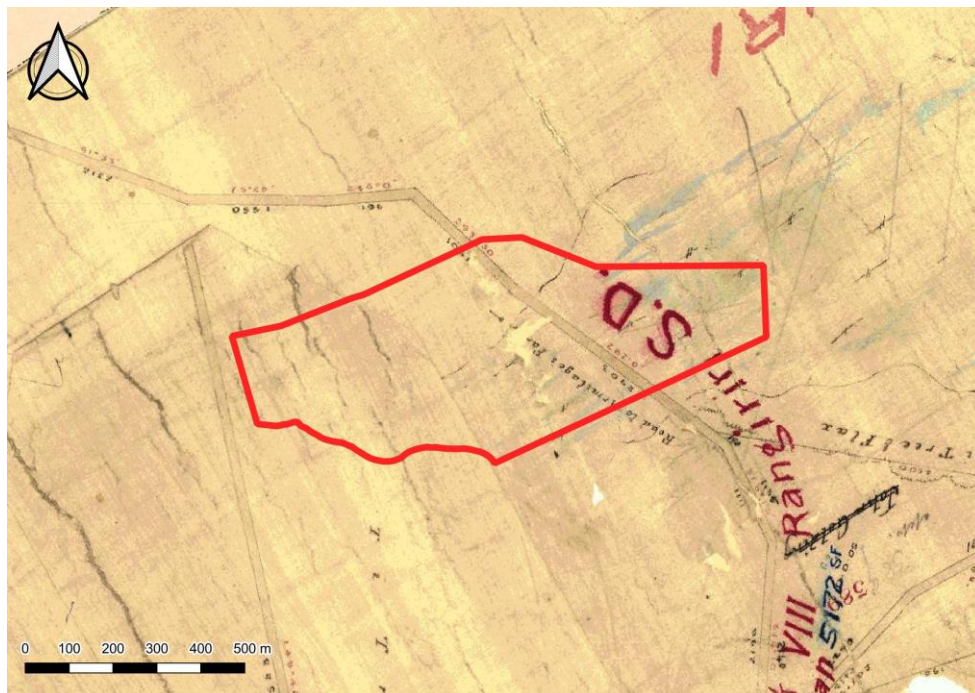


Figure 9. Plan showing lots near Lake Waikare. Parish of Taupiri (1866?) (HNC SO 404 I\_1-2) (Source: Quickmap).

SO 404 I\_1-2 (probably dated to 1866) does not show any occupation within the OLL site. There are however notes describing the landscape. Most of the area surrounding the site is noted as having high 'ti tree' (manuka) and flax as well as multiple areas of swamp. An annotation east of the OLL site is labelled as 'Large swamp ending in lake', most probably Lake Rotokawau. A former road running through the OLL site is labelled 'Road to Armitage farm' (Figure 9).

### 6.1.2 HNC SO 400 I\_1

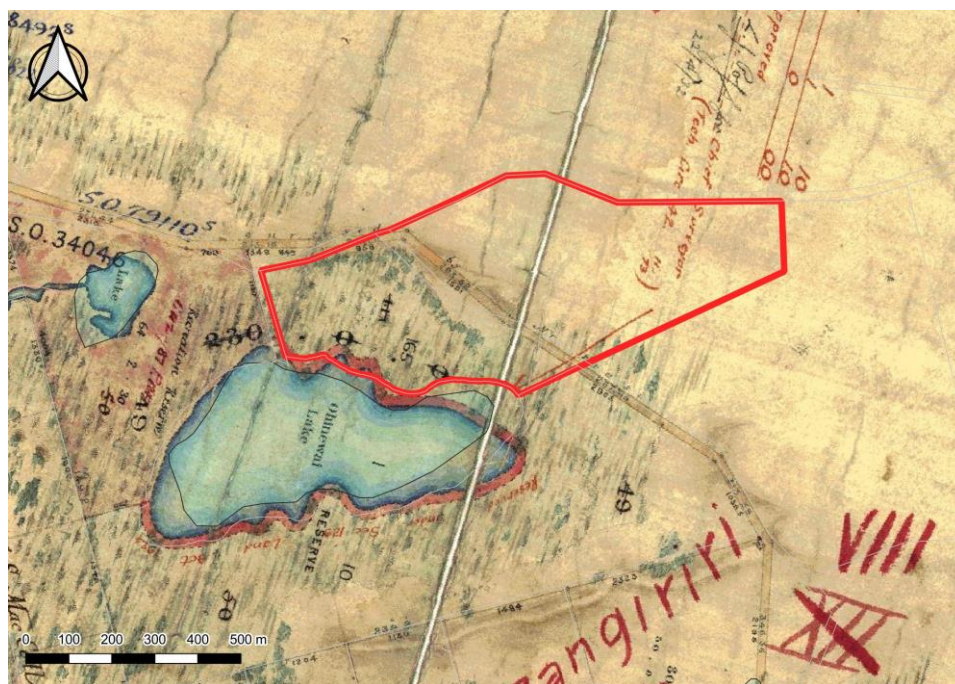


Figure 10. Plan (1866) showing detail surrounding the OLL site. HNC SO 400 I\_1 (Source: Quickmap).



10

## November 2019

[illegible]

Figure 11. Survey plan from the Māori Land Court showing the surrounding area. ML 13102 South Auckland undated. (Source: Quickmap).



#### 6.1.4 SN192 (1940) and SN164 (1977)

Historic aerals were analysed to determine if land use and associated structures could be visualised (Figures 12–13). In the 1940s aerial series two houses and a couple of barns are visible. The westernmost structure and the easternmost house have been since demolished.



Figure 12. Aerial photograph from the 1940 series (SN192\_291\_38). The landscape has been partially drained and is being used for pastoral grazing (Source: Retrolens).



Figure 13. Aerial photograph from the 1977 series (SN164\_L\_6). Land usage has not changed since the 1940s being, that is, as pastoral grazing. More of the land has been drained and converted to pasture since the 1940s (Source: Retrolens).

## 6.2 Results from walkover survey

Soils within the lower peat flats were a dark peaty soil (black) overlying a very poorly draining silt loam B-Horizon (light grey) (Figures 14–15).



Figure 14. Photo that shows the low-lying (flat) landscape and the ridges to the north. Photo is taken from the eastern end of the proposed development area.



Figure 15. Auger sample of the soils from the lower lying swamp area.

Soils of the surrounding ridges/hills are formed on ancient weathered volcanic deposits. These are Hamilton clay loam/Kainui clay loam and are deemed to be moderate to poorly draining (Figures 16–17). These soils are generally unsuitable for Māori horticultural practice.





*Figure 16. Photo taken from ridgeline looking down on the flatter swamp areas east of Lake Ohinewai. Photo taken from northwest.*



*Figure 17. Looking from the ridge across to Lake Ohinewai south of the proposed development area. Photo taken from the north.*

Within the OLL site nothing of archaeological interest was identified during the walkover survey.

## ***7 Constraints and limitations***

This report is an assessment of the impacts of Ohinewai Land Ltd proposed development on archaeological values. There are no statements on the cultural significance of the project area nor are the views of tangata whenua represented in this report.

Identifying features within the landscape is based on surface topography. This can be difficult and the level of confidence of recording sites can vary without associated archaeological information and/or features, for example, shell midden.

Statements made to the location and nature of recorded archaeological sites and their archaeological values are derived from published material including the New Zealand Archaeological Association (NZAA) ArchSite Database.

## ***8 Archaeological or other values***

### ***8.1 Archaeological***

There are no known archaeological sites with corresponding values within the OLL site. Within the wider landscape however there are registered finds of midden, pits/terraces and horticultural landscapes.

## ***9 Conclusions and recommendations***

No archaeological deposits were identified within the OLL Site during the walkover survey.

It is possible that there are subsurface archaeological features and deposits within OLL site that leave no surface visible trace. Where these may occur, they are likely to take the form of isolated object. However, W. Gumbley Ltd believe the potential for unidentified archaeological deposits is very low to nil.



## **10 References**

Foster, F. 1983. *Archaeological site survey: Ohinewai coal-field*. Unpublished report 1983/9. Historic Places Trust. Auckland.

Gainsford, M & Gumbley, W. 2019. *Archaeological assessment of effects. Ambury Properties Limited, Ohinewai*. Unpublished report. W. Gumbley Ltd. Hamilton.

Gunkel, K. 2019. HG-Ohinewai Lands-infrastructure assessment-dated 19 November 2019. 1620-144739-02.

### **Databases**

Waikato Regional Council. WRAPS 2012 and LIDAR 2007.

Quickmap.

### **Websites**

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## **APPENDIX 6**

### **REFERENCED POLICY EXTRACTS (WRPS AND FUTURE PROOF)**

## OPERATIVE WAIKATO REGIONAL POLICY STATEMENT

### 3.12 BUILT ENVIRONMENT

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a) promoting positive indigenous biodiversity outcomes;
- b) preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- c) integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
- d) integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
- e) recognising and protecting the value and long-term benefits of regionally significant infrastructure;
- f) protecting access to identified significant mineral resources;
- g) minimising land use conflicts, including minimising potential for reverse sensitivity;
- h) anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;
- i) providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;
- j) promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and
- k) providing for a range of commercial development to support the social and economic wellbeing of the region.

### POLICY 6.14 ADOPTING FUTURE PROOF LAND USE PATTERN

Within the Future Proof area:

- a) new urban development within Hamilton City, Cambridge, Te Awamutu/Kihikihi, Pirongia, Huntly, Ngaruawahia, Raglan, Te Kauwhata, Meremere, Taupiri, Horotiu, Matangi, Gordonton, Rukuhia, Te Kowhai and Whatawhata shall occur within the Urban Limits indicated on Map 6.2 (section 6C);
- b) new residential (including rural-residential) development shall be managed in accordance with the timing and population for growth areas in Table 6-1 (section 6D);
- c) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D) and in accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3;
- d) other industrial development should only occur within the Urban Limits indicated on Map 6.2 (section 6C), unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 6-2 (section 6D) shall be provided for as appropriate in district plans;
- e) new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;
- f) new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the arterial function of the road network, and on other infrastructure;
- g) where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern; and
- h) where land is required for activities that require direct access to Hamilton Airport runways and where these activities cannot be accommodated within the industrial land allocation in Table 6-2, such activities may be provided for within other land adjacent to the runways, providing adverse effects on the arterial road network and other infrastructure are avoided, remedied or mitigated.

## **EXPLANATION**

Policy 6.14 limits urban development to the land use pattern and sequencing that has been established through the Future Proof process. New urban development can occur in centres that do not have urban limits (areas not listed in Policy 6.14a)), as long as it is consistent with Tables 6-1 and 6-2. Parts c) to h), along with Table 6-2, provide clear guidance on where industrial development should occur in the Future Proof area. This is very important to ensure integrated planning of industrial land use and infrastructure. Future industrial development should focus on the support and protection of identified industrial nodes.

Method 6.14.1 recognises that although the Strategy has determined a settlement pattern for the Future Proof area, the detail of urban limit lines and future commercial and industrial development locations down to property level need to be determined through district plan processes. The method also recognises that district plan provisions, such as rules, need to ensure development is managed in accordance with Policy 6.14.

Method 6.14.2 recognises that to achieve the Future Proof land use pattern, sufficient land needs to be zoned for development and that appropriate provisions need to be made for servicing this development.

Method 6.14.3 provides for some flexibility in the staged release of residential and industrial land while ensuring that the relevant growth management principles established in the Future Proof growth strategy are not compromised. The method provides an opportunity for district plans and structure plans to refine Table 6-2. The importance of Table 6-2 to the efficient integration of land use and infrastructure in the Future Proof sub-region is such that alternative land release is only expected to occur where comprehensive and robust evidence has been provided to satisfy the criteria in Method 6.14.3.

Map 6.2 provides an overview of urban limits in order to guide implementation of the settlement pattern at a district level. It is expected that district level planning mechanisms such as structure planning and district plan zoning will establish the urban limits at a property scale.

### **6.14.1 DISTRICT PLAN PROVISIONS**

Hamilton City Council, Waipa District Council and Waikato District Council shall, in consultation with Waikato Regional Council, tāngata whenua and the NZ Transport Agency, review or prepare changes to their district plans and structure plans to identify locations and limits for future urban development, including future areas of major commercial and industrial development. The district plans shall ensure that urban development is located and managed in accordance with Policy 6.14.

### **6.14.2 LAND RELEASE**

Hamilton City Council, Waipa District Council and Waikato District Council shall ensure land is zoned and appropriately serviced in accordance with Policy 6.14, Tables 6-1, 6-2 and 6-3 in section 6D.

In relation to Table 6-1, where it is impractical to develop a particular greenfield area or part of a greenfield area, the equivalent population allocation in Table 6-1 may be transferred to another greenfield area within urban limits, where it is demonstrated that the criteria in Method 6.14.3 can be met.

In relation to Table 6-2, the land area allocated in a particular stage for a Strategic Industrial Node may be increased by bringing forward a future allocation from a later stage in that node where it is demonstrated that the criteria in Method 6.14.3 can be met. The total allocation for any one node, across all stages, may also be increased where it is demonstrated that the criteria in Method 6.14.3 can be met.

### **6.14.3 CRITERIA FOR ALTERNATIVE LAND RELEASE**

District plans and structure plans can only consider an alternative residential or industrial land release, or an alternative timing of that land release, than that indicated in Tables 6-1 and 6-2 in section 6D provided that:

- a) to do so will maintain or enhance the safe and efficient function of existing or planned infrastructure when compared to the release provided for within Tables 6-1 and 6-2;
- b) the total allocation identified in Table 6-2 for any one strategic industrial node should generally not be exceeded or an alternative timing of industrial land release allowed, unless justified through robust and comprehensive evidence (including but not limited to, planning, economic and infrastructural/servicing evidence);
- c) sufficient zoned land within the greenfield area or industrial node is available or could be made available in a timely and affordable manner; and making the land available will maintain the benefits of regionally



significant committed infrastructure investments made to support other greenfield areas or industrial nodes; and

- d) the effects of the change are consistent with the development principles set out in Section 6A.

#### **POLICY 6.15 DENSITY TARGETS FOR FUTURE PROOF AREA**

Hamilton City Council, Waipa District Council and Waikato District Council shall seek to achieve compact urban environments that support existing commercial centres, multi-modal transport options, and allow people to live, work and play within their local area. In doing so, development provisions shall seek to achieve over time the following average gross density targets:

<b>Development type and location</b>	<b>Average gross density target</b>
Hamilton Central Business District	50 households per hectare
Hamilton Intensification Areas	30 households per hectare
Hamilton Greenfield (Rototuna, Rotokauri, Ruakura Peacocke)	16 households per hectare
Greenfield development in Cambridge, Te Awamutu/Kihikihi, Huntly, Ngaruawahia, Raglan/Whaingaroa and Te Kauwhata	12 – 15 households per hectare
Greenfield development in Waikato District rural villages where sewerage is reticulated	8 – 10 households per hectare

#### **EXPLANATION**

Policy 6.15 seeks to ensure that over time, urban development will become more compact through the promotion of development density targets. This is to improve viability of public transport, walking and cycling, thereby reducing energy demand and reducing the need for future transport infrastructure development. Other benefits of this approach include reducing transport impacts on air quality, reducing carbon emissions, improving efficient use of water infrastructure, reducing urban sprawl onto high quality farm land and reducing other adverse effects of urban development, such as reverse sensitivity impacts on existing land uses and limitations on access to mineral resources. The methods are to ensure this policy is implemented through provisions in district plans and through advocacy with respect to development proposals.

#### **6.15.1 DISTRICT PLAN PROVISIONS AND OTHER MECHANISMS**

Hamilton City Council, Waipa District Council and Waikato District Council shall include provisions in their district plans and other mechanisms that seek to implement Policy 6.15.

#### **6A DEVELOPMENT PRINCIPLES (GENERAL DEVELOPMENT PRINCIPLES)**

New development should:

- a) support existing urban areas in preference to creating new ones;
- b) occur in a manner that provides clear delineation between urban areas and rural areas;
- c) make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;
- d) not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;
- e) connect well with existing and planned development and infrastructure;
- f) identify water requirements necessary to support development and ensure the availability of the volumes required;
- g) be planned and designed to achieve the efficient use of water;
- h) be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;
- i) promote compact urban form, design and location to:
  - i. minimise energy and carbon use;

- ii. minimise the need for private motor vehicle use;
- iii. maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;
- iv. encourage walking, cycling and multi-modal transport connections; and
- v. maximise opportunities for people to live, work and play within their local area;
- j) maintain or enhance landscape values and provide for the protection of historic and cultural heritage;
- k) promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;
- l) maintain and enhance public access to and along the coastal marine area, lakes, and rivers;
- m) avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);
- n) adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;
- o) not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;
- p) be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;
- q) consider effects on the unique *tāngata whenua* relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise *tāngata whenua* connections within an area should be considered;
- r) support the Vision and Strategy for the Waikato River in the Waikato River catchment;
- s) encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and
- t) recognise and maintain or enhance ecosystem services.

## **6D FUTURE PROOF TABLES**

### **EXPLANATION**

At the time of hearing submissions on the Proposed Waikato Regional Policy Statement, there was approximately 879ha of zoned industrial land that was vacant within the central Future Proof area. The strategic nodes identified in Table 6-2 include a mixture of existing zoned land and land identified as future industrial land, subject to district planning processes. The land identified in Table 6-2 for the Rotokauri, Horotiu, Huntly and Rotowaro industrial nodes are the vacant gross developable land areas remaining within the zoning of the Proposed Hamilton District Plan (Rotokauri Structure Plan), and Operative Waikato District Plan (Horotiu Industrial Park, Huntly Industrial Zone).

**Table 6-1: Future Proof residential growth allocation and staging 2006-2061**

Growth areas	Residential population <sup>1</sup>			
	2006	2021	2041	2061
Hamilton existing urban	119400	136400	161100	187900
Hamilton Greenfield (Rototuna, Rotokauri, Ruakura and Peacockes)	15000	37000	60000	60000
Future Hamilton Greenfield			3000	29700
<b>Hamilton City Total</b>	<b>134400</b>	<b>173400</b>	<b>224100</b>	<b>277600</b>
Cambridge	13225	17500	23200	25145
Te Awamutu / Kihikihi	12625	15900	20100	21565
Huntly	6915	8940	10925	12275
Ngaruawahia	5120	8340	12375	15875
Raglan and Whaingaroa	3220	4340	5025	5200
Te Kauwhata	1020	3430	5825	7675
Waipa Rural Villages	2350	3300	4290	5330
Waikato Rural Villages	6725	9050	12400	15775
Waipa Rural	15500	18800	19410	21460
Waikato Rural	22400	24800	27350	29800
<b>Future Proof sub-regional total</b>	<b>223500</b>	<b>287800</b>	<b>365000</b>	<b>437700</b>
<b>Sub-regional split by settlement type</b>				
City	134400	173400	224100	277600
Towns	42125	58450	77450	87735
Rural Villages	9075	12350	16690	21105
Rural	37900	43600	46760	51260
<b>Sub-regional split – proportion of total population</b>				
City	60%	61%	61%	63%
Towns	19%	20%	21%	20%
Rural Villages	4%	4%	5%	5%
Rural	17%	15%	13%	12%

<sup>1</sup> The above population figures in any given location do not take account of growth associated with marae and papakāinga development. Consequently, actual population figures may exceed the above figures in some areas.

**Table 6-2: Future Proof industrial land allocation**

Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area) <sup>1</sup>	Industrial land allocation and staging (ha)			Total Allocation
	2010 to 2021	2021 to 2041	2041 to 2061	2010 to 2061 (ha)
Rotokauri	85	90	90	265
Ruakura	80	115 <sup>2</sup>	210 <sup>2</sup>	405
Te Rapa North	14	46	25	85
Horotiu	56	84	10	150
Hamilton Airport	74	50	0	124
Huntly and Rotowaro	8	8	7	23
Hautapu	20	30	46	96
<b>TOTAL HA</b>	<b>337</b>	<b>423</b>	<b>388</b>	<b>1148</b>

<sup>1</sup> Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

<sup>2</sup>Development beyond the 2021 period is subject to completion of the Waikato Expressway.

### 3.16 RIPARIAN AREAS AND WETLANDS

Riparian areas (including coastal dunes) and wetlands are managed to:

- a) maintain and enhance:
  - i. public access; and
  - ii. amenity values.
- b) maintain or enhance:
  - i. water quality;
  - ii. indigenous biodiversity;
  - iii. natural hazard risk reduction;
  - iv. cultural values;
  - v. riparian habitat quality and extent; and
  - vi. wetland quality and extent.

### 3.19 ECOLOGICAL INTEGRITY AND INDIGENOUS BIODIVERSITY

The full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.

#### POLICY 11.1 MAINTAIN OR ENHANCE INDIGENOUS BIODIVERSITY

Promote positive indigenous biodiversity outcomes to maintain the full range of ecosystem types and maintain or enhance their spatial extent as necessary to achieve healthy ecological functioning of ecosystems, with a particular focus on:

- a) working towards achieving no net loss of indigenous biodiversity at a regional scale;
- b) the continued functioning of ecological processes;
- c) the re-creation and restoration of habitats and connectivity between habitats;
- d) supporting (buffering and/or linking) ecosystems, habitats and areas identified as significant indigenous vegetation and significant habitats of indigenous fauna;
- e) providing ecosystem services;



- f) the health and wellbeing of the Waikato River and its catchment;
- g) contribution to natural character and amenity values;
- h) tāngata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment;
- i) managing the density, range and viability of indigenous flora and fauna; and
- j) the consideration and application of biodiversity offsets.

#### **EXPLANATION**

Policy 11.1 guides Waikato Regional Council and territorial authorities to maintain indigenous biodiversity wherever it occurs. An important component of the policy direction is to work towards no net loss for all indigenous biodiversity at a regional scale. The policy is also important where ecosystems have been depleted and fragmented, such as coastal and lowland ecosystems, and where maintaining indigenous biodiversity in the long term requires enhancement and restoration. The Policy will be implemented through a combination of both regulatory and non-regulatory mechanisms. This provides the flexibility to manage the varying local contexts and take into account the positive effects that some activities may have on indigenous biodiversity. Examples of this include positive effects from riparian planting.

#### **POLICY 11.2 PROTECT SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA**

Significant indigenous vegetation and the significant habitats of indigenous fauna shall be protected by ensuring the characteristics that contribute to its significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.

#### **EXPLANATION**

Policy 11.2 addresses the requirements of s6(c) of the Resource Management Act to protect areas of significant indigenous vegetation and significant habitat of indigenous fauna in terrestrial, freshwater, coastal and marine environments. The policy and methods recognise that protection of these areas requires that the areas and the characteristics that deem them to be significant are identified, that identification should be carried out in a consistent manner across the region, and that protection will be achieved through both regulatory and non-regulatory methods. Protection of significant sites need not prevent their use where activities will not materially compromise the characteristics or values which deemed the site significant. The enhancement of ecosystem types as identified in Policy 11.1 also applies to significant indigenous vegetation and significant habitats of indigenous fauna in Policy 11.2.

The intention is for areas of significant indigenous vegetation and significant habitat of indigenous fauna to be identified either at a regional scale by Waikato Regional Council (significant natural areas project), or as a consequence of managing activities through regional and district plans (Method 11.2.2). It is important that regional and district plan provisions provide for the identification of additional areas, including those not identified in Method 11.2.1 which are difficult to detect at the regional scale due to limitations in technology. A diagram in section 11B summarises the respective roles and responsibilities. The identification of significant indigenous vegetation and significant habitats of indigenous fauna by the Regional Council has been undertaken in accordance with 11A and Table 11-1 criteria, through district-scale vegetation mapping, assessment and review of sites, fauna and vegetation studies, scientific research, primarily as a desktop analysis to which varying degrees of confidence are assigned. Before information is included in regional or district plans further verification and validation may be required to confirm whether the identified areas meet the criteria for significance in section 11A.

#### **POLICY 11.3 COLLABORATIVE MANAGEMENT**

Maintaining and enhancing indigenous biodiversity shall be promoted in an integrated and efficient manner including by working collaboratively with landowners, resource managers, tāngata whenua and other stakeholders.

## **EXPLANATION**

Policy 11.3 recognises the importance of engaging with landowners, resource managers, tāngata whenua and other key stakeholders when seeking positive biodiversity outcomes through Policies 11.1, 11.2 and 11.4. The collaborative approach is relevant to both plan preparation and implementation, as well as when carrying out other work programmes. It is intended that a collaborative approach will facilitate identification of opportunities for involvement and ways to empower tāngata whenua and resource managers to improve their knowledge of indigenous biodiversity and to promote successful maintenance and restoration practices.

### **3.21 AMENITY**

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.

### **3.22 NATURAL CHARACTER**

The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development.

### **3.23 PUBLIC ACCESS**

Public access to and along the coastal marine area, lakes and rivers is maintained and enhanced.

## **POLICY 12.2 PRESERVE NATURAL CHARACTER**

Ensure that activities within the coastal environment, wetlands, and lakes and rivers and their margins are appropriate in relation to the level of natural character and:

- a) where natural character is pristine or outstanding, activities should avoid adverse effects on natural character;
- b) where natural elements/influences are dominant, activities should avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character;
- c) where man-made elements/influences are dominant, it may be appropriate that activities result in further adverse effects on natural character, though opportunities to remedy or mitigate adverse effects should still be considered;
- d) promote the enhancement, restoration, and rehabilitation of the natural character of the coastal environment, wetlands and lakes and rivers and their margins; and
- e) regard is given to the functional necessity of activities being located in or near the coastal environment, wetlands, lakes, or rivers and their margins where no reasonably practicable alternative locations exist.

## **EXPLANATION**

Preserving the natural character of the coastal environment, wetlands and lakes and rivers and their margins is a matter of national importance under the Resource Management Act. This will be achieved by directing development to areas where natural character is already compromised. This recognises that the intent of the legislation is not to preserve natural character everywhere, and that the higher the level of modification, the more appropriate development will be in a given situation. In the coastal environment Policy 12.2 must give effect to Policy 13 of the NZCPS. This means that despite the use of 'should' in Policy 12.2, in the coastal environment, the direction in Policy 13 of the NZCPS must be followed.

Many of our coastal and riparian areas have been modified so it is intended that modification not be allowed in those few places where the natural character is unmodified (that is, pristine). In areas that are highly modified, there may be opportunities for local authorities to achieve the enhancement of natural character, such as when undertaking works and services or authorising activities and using simple measures such as planting appropriate native species as part of landscaping activities.

Criteria are provided in 12C (Table 12-3) to guide plans in identifying areas of high and outstanding natural character in the coastal environment. The criteria provide consistency and give effect to Policy 13 of the NZCPS.

### **POLICY 12.3 MAINTAIN AND ENHANCE AREAS OF AMENITY VALUE**

Areas of amenity value are identified, and those values are maintained and enhanced. These may include:

- a) areas within the coastal environment and along inland water bodies;
- b) scenic, scientific, recreational or historic areas;
- c) areas of spiritual or cultural significance;
- d) other landscapes or seascapes or natural features; and
- e) areas adjacent to outstanding natural landscapes and features that are visible from a road or other public place.

#### **EXPLANATION**

Local authorities must have particular regard to the maintenance and enhancement of amenity values under the Resource Management Act. Some areas will be particularly valued by communities for their amenity, and it is appropriate to provide for the maintenance or enhancement of the amenity values of these areas to protect communities' sense of place, appreciation and enjoyment.

Local authorities should also recognise that amenity values often exist due to the existing and historical management and development of land use in a particular location or landscape. For example, rural landscapes often derive their amenity value from the presence of productive land use such as pastoral farming, and associated structures such as hay barns. These landscapes are not always static, and may continue to change and evolve as a result of changing management practices. Policy 12.3 is not intended to ensure that the landscapes remain static, but to ensure the values attributed to these types of landscapes are maintained or enhanced, even through change.

The coastal environment is particularly valued by our communities for its amenity values, including its open spaces, and local authorities should ensure that these values are recognised when planning for development and processing resource consents. Individuals' amenity values are also relevant under the RMA and should be assessed on a case-by-case basis through resource consent processes.

### **POLICY 12.4 MAINTAIN AND ENHANCE PUBLIC ACCESS**

Public access to and along the coastal marine area, lakes, and rivers will be maintained and enhanced by:

- a) providing direction about where and when additional access should be established;
- b) ensuring that subdivision, use and development do not constrain the ability of the land/water edge to adjust over time in response to natural processes, including the effects of climate change; and
- c) ensuring subdivision, use and development do not result in inappropriate loss of existing public access.

#### **EXPLANATION**

Policy 12.4 recognises that maintaining and enhancing public access to and along the coastal marine area, lakes and rivers is a matter of national importance. Maintaining and enhancing access requires both identifying where new access is required, and ensuring that existing and future access is not lost as a direct result of development or, in the coastal environment, from development that constrains movement of dry beach areas landward as a result of erosion or sea level rise. This will be achieved through regional and district plans and other mechanisms such as direct negotiation or purchase.

## **3.24 NATURAL HAZARDS**

The effects of natural hazards on people, property and the environment are managed by:

- a) increasing community resilience to hazard risks;
- b) reducing the risks from hazards to acceptable or tolerable levels; and

- c) enabling the effective and efficient response and recovery from natural hazard events.

### **POLICY 13.1 NATURAL HAZARD RISK MANAGEMENT APPROACH**

Natural hazard risks are managed using an integrated and holistic approach that:

- a) ensures the risk from natural hazards does not exceed an acceptable level;
- b) protects health and safety;
- c) avoids the creation of new intolerable risk;
- d) Reduces intolerable risk to tolerable or acceptable levels;
- e) enhances community resilience;
- f) is aligned with civil defence approaches;
- g) prefers the use of natural features over man-made structures as defences against natural hazards;
- h) recognises natural systems and takes a 'whole of system' approach; and
- i) seeks to use the best available information/best practice.

### **EXPLANATION**

The Resource Management Act, Local Government Act, Building Act and Civil Defence and Emergency Management Act are all relevant to the management of natural hazard risks. This can lead to uncertainty as local authorities have roles under each Act; however, each Act has a different focus. The management of natural hazard risks within the region should be consistent and should be aligned with civil defence approaches. The respective roles of regional and territorial authorities should be clear to avoid duplication of effort and uncertainty (covered in Chapter 4). This includes functions in relation to natural hazards information for which it is intended the regional council will take a central role through supporting the territorial authorities and centrally storing all relevant information. It is not expected that the regional council will be responsible for assessing or providing natural hazards information at an individual property scale. There will be situations where the existing risk to life, property or the environment from natural hazards is considered to be intolerable (primary hazard zones). This could be because the risk is considered real within the short term, or because the potential consequences are significant due to the scale or vulnerability of the people, property or the environment at risk. It is not feasible to set region-wide standards for the identification of these areas due to the variability of the region, including the physical environment, and economic, social and cultural factors. It is expected that these areas will be identified on a case-by-case basis, including through the community assessments under Method 13.1.3 and the management of these areas will be tailored to the local situation.

A strategic approach should be taken to natural hazards that avoids the need and demand for ad hoc responses to natural hazard events and recognises that natural hazards are essentially natural events which only really pose a problem when people or development are put at risk. It seeks that assessments are undertaken that consider the appropriate scale (for example, whole community, catchment or beach), and take into account the full range of effects and values, not just risks to people and property. Typical responses to natural hazards have involved attempts to structurally protect property. These responses often result in adverse effects that are borne by other property owners or the wider community. This policy and methods seek to ensure that where such decisions are made, they are made after full consideration of the relative costs and benefits.

The central concept of the management of natural hazards is the identification and management of activities based on the level of risk to which they are exposed. Avoidance or mitigation of natural hazards is based on risk (the likelihood and consequences of a hazard). Rare events with potentially catastrophic outcomes may have the same level of risk as frequent but low-impact events. Ideally, the risk of both extremes should be managed so as not to exceed an acceptable level. Method 13.1.3 directs regional and district plans to take a risk-based approach to natural hazard management and that the risk to people, the community, property and the environment does not exceed acceptable levels or risk is reduced to tolerable levels. It is expected that district plans will further define what is acceptable and tolerable risk in their community and for particular land uses. For example, residential development in a high risk flood zone is likely to exceed acceptable levels of risk due to the risk to life and property given the nature of the land use; however the risk to other types of development in the same area, for example farming, may be acceptable. Intolerable risk is where the risk to people, property or the environment cannot be justified.

Assessment of risk should be in accordance with relevant standards and plans including as relevant:



- a) NZS9401:2008 (Flood Risk Management – A Process Standard);
- b) the Waikato Civil Defence and Emergency Management Group Plan; and
- c) ISO 31000: 2009 (Risk Management).

### **POLICY 13.2 MANAGE ACTIVITIES TO REDUCE THE RISKS FROM NATURAL HAZARDS**

Subdivision, use and development are managed to reduce the risks from natural hazards to an acceptable or tolerable level including by:

- a) ensuring risk is assessed for proposed activities on land subject to natural hazards;
- b) reducing the risks associated with existing use and development where these risks are intolerable;
- c) avoiding intolerable risk in any new use or development in areas subject to natural hazards;
- d) minimising any increase in vulnerability due to residual risk;
- e) avoiding the need or demand for new structural protection works; and
- f) discouraging hard protection structures and promoting the use of alternatives to them, including natural defences in the coastal environment.

### **EXPLANATION**

The intention is to reduce the risks to the regional community from natural hazards, recognising that different tools and approaches are required and appropriate in different situations – for example, for greenfield sites versus developed sites, for areas facing immediate risk versus those facing medium- to long-term risk, or depending on the particular natural hazard(s) faced in an area. This approach recognises that avoiding risk everywhere is impractical and seeks instead to ensure that development is appropriate with respect to the level of risk faced and the relative vulnerability of different activities. It also recognises that natural hazards are essentially natural events which only pose a hazard because development has occurred within their range and it will generally always be easier and cheaper to avoid development in these areas than manage the risk afterwards. This is especially true given the expected effects of climate change which will change the frequency, intensity and occurrence of weather- and sea level-related natural hazards.

#### **13.2.1 CONTROL OF SUBDIVISION WITHIN AREAS OF INTOLERABLE RISK**

District plans shall control subdivision to avoid creating demand for new structures within identified high risk flood zones and identified primary hazard zones, and areas at high risk of coastal hazard.

#### **13.2.5 CONTROL OF USE AND DEVELOPMENT (HIGH RISK FLOOD ZONES AND AREAS OF HIGH COASTAL HAZARD RISK)**

Regional and district plans shall ensure that use and development within high risk flood zones and areas of high coastal hazard risk is appropriate, including by avoiding the placement of structures or development where these would be vulnerable to a natural hazard event or would place a community at intolerable risk. These include:

- a) habitable structures; The relevant objectives are: 3.1 Integrated management 3.2 Resource use and development 3.3 Decision making 3.6 Adapting to climate change 3.7 Coastal environment 3.24 Natural hazards NATURAL HAZARDS Doc # 3647993 Page 13-5
- b) significant community infrastructure such as hospitals and emergency services; and
- c) lifeline utilities.

#### **13.2.6 CONTROL OF DEVELOPMENT WITHIN A FLOODPLAIN OR COASTAL HAZARD AREA**

Regional and district plans shall ensure that:

- Subdivision, use and development can only occur in a floodplain with an annual exceedance probability of 1% (where the floodplain does not match the definition of being a High Risk Flood Zone) or in an identified potential coastal hazard area (not being a High Risk Coastal Hazard) area where: i) appropriate assessment of the risks has been undertaken and these risks will not exceed acceptable levels; ii) appropriate assessment of the likely effects has been undertaken, including the effects of any new structure or fill on the diversion of overland flows or any consequential increased runoff volumes; iii) the creation of a new, or exacerbation of an existing hazard, including those off site, and any adverse effects are avoided, remedied or mitigated; iv) any adverse effects of a 1% annual exceedance probability flood event on habitable buildings are avoided or mitigated; v) has been designed and located to minimise the level of

- coastal hazard risk over its intended lifetime; and vi) any hazardous substance stored as part of the development, or during the construction, or found on or near to the site, will not create a hazard; or
- it is essential infrastructure, and:
  - i. it cannot be located elsewhere; or
  - ii. it will not increase the risk of or from natural hazard.

#### **13.2.7 CONTROL OF SUBDIVISION, USE AND DEVELOPMENT (RESIDUAL RISK ZONES)**

District plans shall identify residual risk zones and shall control subdivision, use and development within these zones so that residual risk is minimised. In doing so, particular regard shall be had to:

- a) the level of service provided by the structural defences;
- b) the physical, environmental and financial sustainability of the structural defences over a period of at least 100 years;
- c) the impact caused by an overwhelming or a structural failure of protection works; and
- d) a reduction in the ability of a community to respond to and recover from a natural hazard event.

## **FUTURE PROOF STRATEGY**

### **SECTION 1.3 GUIDING PRINCIPLES**

Future Proof is about how the area should develop into the future. Underlying this are fundamental principles which apply in respect of the Strategy and its implementation. The ongoing application of these principles is key to effective implementation and should be used in assessing and measuring proposals against the Strategy and any subsequent changes that are made to it.

The following guiding principles originate from the 2009 Strategy. Future Proof commissioned an evaluation of the principles from an economic perspective to test their validity for the Strategy Update<sup>3</sup>. The evaluation concluded that the Future Proof principles remain valid, and possibly more relevant today than when originally drafted.

#### **Effective Governance, Leadership, Integration, Implementation and Productive Partnerships**

- Ensure that collaborative arrangements are in place for effective Strategy governance and implementation.
- Ensure that the Strategy is integrated into the partners' and other implementation agencies' policy documents and plans.
- Encourage the partners to be advocates for the Future Proof Strategy to central government and other implementation agencies.
- Monitor the effectiveness of the Strategy's guiding principles so that we better understand the propositions "what has happened" and "what difference did the Future Proof Strategy make".

#### **Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit**

- Recognise the importance of the Future Proof sub-region within the wider Waikato Region and the upper North Island.
- Maintain and enhance the Hamilton Central City as the primary commercial, civic and social centre of the Future Proof area, with it also becoming an important residential intensification area.
- Ensure the sub-region's towns and villages retain their individual and distinct identities with thriving town centres that support people to live, work, play, invest and visit.
- Promote increased densities in new residential development and more intensive redevelopment of existing urban areas.
- Encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.
- Ensure commercial and industrial development is located in selected sub-regional areas and that it is not located where it undermines the areas of influence of the Hamilton Central City, Cambridge, Te Awamutu, Pokeno, Tuakau, Te Kauwhata, Horotiu, Ngaruawahia, Raglan and Huntly.
- Provide housing and lifestyle choice within defined locations, including papakāinga, with greater emphasis on good urban design outcomes. Where possible, respond to government policies on land supply and housing affordability.
- Maintain the separation of urban areas by defined and open space and effective rural zoning.
- Recognise and provide for the growth of urban areas and villages within indicative urban and village limits.
- Support existing commercial centres, towns and villages within the sub-region so these places remain vibrant and valued.

#### **PROTECTION OF NATURAL ENVIRONMENTS, LANDSCAPES AND HERITAGE AND HEALTHY WAIKATO RIVER AS HEART OF REGION'S IDENTITY**

- Maintain and enhance the cultural and heritage values of the sub-region.
- Ensure that the settlement pattern generally avoids as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems; maintain or enhance landscape values; and, promotes positive indigenous biodiversity outcomes and protects significant indigenous vegetation and significant habitats of indigenous fauna.
- Maintain, enhance and create important ecological areas and corridors for the protection and enhancement of indigenous biodiversity.

- Give effect to the Vision and Strategy for the Waikato River by restoring the health and well-being of the Waikato and Waipa Rivers, including adopting an integrated management approach.

### **Affordable and Sustainable Infrastructure**

- The staging and timing of the settlement pattern will align with the partners' long-term infrastructure strategies and that of any potential waters Council Controlled Organisation (CCO), as well as NZ Transport Agency plans.
- Encourage development in established settlements to support existing infrastructure.
- Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation.
- Ensure development is planned to support safe and efficient transport infrastructure, including public transport provision and reduced dependence on motor vehicles.
- Recognise the need for stronger links between land-use and transport in respect of the settlement pattern and ensure capacity is matched with development potential.
- Ensure large scale community facilities and services are planned on a sub-regional basis to avoid duplication of resources.

### **Sustainable Resource Use**

- Protect versatile and quality farmland for productive purposes through the provision of limited rural lifestyle development around existing towns and villages and encouraging a more compact urban footprint.
- Ensure development is directed away from potential and known hazard areas as well as areas suited to energy generation and transmission, and important mineral resources (including sand and aggregate) and access routes to these resources.
- Ensure that planning for the future use of water maintains or improves water quality and promotes efficient use.
- Promote planning for an energy efficient, low carbon emissions, sustainable environment.
- Ensure communities are well informed about sustainability principles and are encouraged to incorporate them into daily life.

### **Tāngata Whenua**

- Ensure that the values, principles, aspirations, roles and responsibilities and the place of tāngata whenua are reflected and incorporated into Strategy governance and implementation.
- Recognise the unique relationship that tāngata whenua have with the whenua awa, moana, maunga, taiao katoa: the land, waterways, ocean, mountains, wider environment and other people in the sub- region. This includes, but is not limited to, the practice of kaitiakitanga.

## **SECTION 7.2 ALLOCATION OF RESIDENTIAL LAND**

Household demand and supply (capacity) figures for the sub-region are provided in Appendix 1 (detailed tables) and Table 3 (summary table). Household growth has been allocated out to 2045, but is broken down into planning periods to 2025, 2035 and 2045.

Growth has been allocated based on the preferred settlement pattern scenario of a compact and concentrated urban form. Table 3 indicates that there is generally adequate supply to meet demand over the 30 year period, assuming that the carry forwards of undeveloped land will still occur. These numbers are forecasts only and will need to be carefully monitored and if necessary adjusted. The NPS-UDC requires that this be done every three years.

Achieving the allocations is also dependent on:

- Up to date joint housing and business land assessments.
- Improved understanding of the demand for housing and business land. □ Ongoing development feasibility analysis, especially beyond the first 10 years.
- The ability of the Future Proof partner councils to provide and fund infrastructure in a timely manner.
- The costs of development related infrastructure not impacting negatively on partner council financial balance sheets.



- Ongoing monitoring of market indicators and the impact of economic cycles resulting in different levels of demand for housing and business land.

As part of the Phase 2 of the Strategy Update, consideration will be given to appropriate triggers for development staging. These triggers will feed into RPS and district plan changes to give effect to the settlement pattern. This will be a more flexible approach than relying solely on population-based staging.

Such triggers are likely to include using land and infrastructure to a certain level before developing a subsequent growth area, ensuring that infrastructure is able to be provided to serve new growth areas or new intensification areas and allowing certain growth areas to reach critical mass for good place-making.

**Table 3: Future Proof sub-region allocation and staging of residential household growth 2016 – 2045 (summary table)**

**Decade 1: Years 1 – 10, 2016 - 2025**

Area	UoW Low Projections <sup>21</sup>		UoW Medium Projections	
	Household Demand	Household Supply / Capacity <sup>22 23</sup>	Household Demand	Household Supply / Capacity
<b>Hamilton City</b>				
Greenfield <sup>24</sup>	6,148	9,607	7,151	9,607
Infill / Intensification	6,148	6,148	7,151	7,151
<b>City Total</b>	<b>12,296</b>	<b>15,755</b>	<b>14,302</b>	<b>16,758</b>
<b>Waikato District</b>				
Tuakau	817	1,202	839	1,202
Pokeno	750	1,200	1,110	1,200
Te Kauwhata	353	2,579	369	2,579
Huntly	333	300 <sup>25</sup>	412	300
Ngaruawahia	147	163	152	163
Raglan	371	200 <sup>26</sup>	386	200
Sub-total	2,771	5,644	3,268	5,644
Rest of District	2,592	2,801	3,142	3,295
<b>District Total</b>	<b>5,363</b>	<b>8,445</b>	<b>6,410</b>	<b>8,939</b>
<b>Waipa District</b>				
Cambridge	1,932	5,002	2,385	5,002
Te Awamutu	1,019	2,394	1,205	2,394
Rest of District	702	702	941	941
<b>District Total</b>	<b>3,653</b>	<b>8,098</b>	<b>4,531</b>	<b>8,337</b>

**Decade 2: Years 11 – 20, 2026 – 2035**

Area	UoW Low Projections <sup>27</sup>		UoW Medium Projections	
	Household Demand	Household Supply / Capacity <sup>28 29 30</sup>	Household Demand	Household Supply / Capacity
<b>Hamilton City</b>				
Greenfield <sup>31</sup>	5,871	11,332	7,221	10,329
Infill / Intensification	5,871	5,871	7,221	7,221
<b>City Total</b>	<b>11,742</b>	<b>17,203</b>	<b>14,442</b>	<b>17,550</b>
<b>Total (Decades 1 and 2)</b>	<b>24,038</b>	<b>32,958</b>	<b>28,744</b>	<b>34,308</b>
<b>Waikato District</b>				
Tuakau	755	725 <sup>32</sup>	909	703
Pokeno	1,360	1,450	1,945	1,090
Te Kauwhata	248	2,398	255	2,382
Huntly	333	643	247	564
Ngaruawahia	133	322	130	317
Raglan	167	129 <sup>33</sup>	122	114
Sub-total	2,996	5,667	3,608	5,170
Rest of District	1,706	1,866	2,517	2,544
<b>District Total</b>	<b>4,702</b>	<b>7,533</b>	<b>6,125</b>	<b>7,714</b>
<b>Total (Decades 1 and 2)</b>	<b>10,065</b>	<b>15,978</b>	<b>12,535</b>	<b>16,653</b>
<b>Waipa District</b>				
Cambridge	2,138	4,000	2,616	3,547
Te Awamutu	818	1,963	1,092	1,777
Rest of District	529	529	977	977
<b>District Total</b>	<b>3,485</b>	<b>6,492</b>	<b>4,685</b>	<b>6,301</b>
<b>Total (Decades 1 and 2)</b>	<b>7,138</b>	<b>14,590</b>	<b>9,216</b>	<b>14,638</b>

**Decade 3: Years 21 – 30, 2036 – 2045**

Area	UoW Low Projections <sup>34</sup>		UoW Medium Projections	
	Household Demand	Household Supply / Capacity <sup>35 36 37</sup>	Household Demand	Household Supply / Capacity
<b>Hamilton City</b>				
Greenfield <sup>38</sup>	4,575	7,961	6,217	5,608 <sup>39</sup>
Infill / Intensification	4,575	4,575	6,217	6,217
<b>City Total</b>	<b>9,150</b>	<b>12,536</b>	<b>12,434</b>	<b>11,825</b>
<b>Total (Decades 1, 2 and 3)</b>	<b>33,188</b>	<b>45,494</b>	<b>41,178</b>	<b>46,133</b>
<b>Waikato District</b>				
Tuakau	485	4,698	823	4,522
Pokeno	1,222	1,090	991	145
Te Kauwhata	75	2,741	48	2,718
Huntly	57	310	67	316
Ngaruawahia	60	873	62	870
Raglan	-35	162	-82	192
Sub-total	1,864	9,874	1,909	8,763
Rest of District	1,381	1,452	3,067	2,933
<b>District Total</b>	<b>3,245</b>	<b>11,326</b>	<b>4,976</b>	<b>11,696</b>
<b>Total (Decades 1, 2 and 3)</b>	<b>13,310</b>	<b>27,304</b>	<b>17,511</b>	<b>28,349</b>
<b>Waipa District</b>				
Cambridge	811	4,406	1,284	3,476
Te Awamutu	624	3,257	782	2,797
Rest of District	214	214	797	797
<b>District Total</b>	<b>1,649</b>	<b>7,877</b>	<b>2,863</b>	<b>7,070</b>
<b>Total (Decades 1, 2 and 3)</b>	<b>8,787</b>	<b>22,467</b>	<b>12,079</b>	<b>21,708</b>

## SECTION 7.4 ALLOCATION OF INDUSTRIAL BUSINESS LAND

The Future Proof partners undertook a comprehensive review of business land needs for the sub-region in 2010/40. This work formed the basis for the identification of strategic industrial nodes, broad land allocations and staging. The allocations aim to support the principles of the settlement pattern, including providing employment land close to where people live, and to ensure an efficient roll out of industrial land which integrates with infrastructure and funding considerations.

As part of the requirements of the NPS-UDC, the Future Proof partners intend undertaking a business land review, updating the work completed in 2010. The outcomes of this work will be incorporated into Phase 2 of the Strategy Update. Consideration will be given to potential future employment hubs to cater for the growth in northern Waikato, such as Meremere. There is approximately 70 hectares of industrially zoned land, formerly part of the Meremere coal fired power station, which is in close proximity to a range of other significant large footprint land uses namely the EnviroWaste North Waikato Regional Landfill, the Hampton Downs International Motorsport Park and the Springhill Correctional Facility. Any development must not compromise the efficiency of the transport network and must give effect to the Regional Policy Statement provisions in relation to new industrial development.

The Future Proof industrial land allocations as contained in Table 6-2 of the RPS are as follows, noting that these will be subject to change as part of Phase 2 of the Strategy Update.

**Table 5: Future Proof and RPS industrial land allocation**

Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area) <sup>1</sup>	Industrial land allocation and staging (ha)			Total Allocation 2010 to 2061 (ha)
	2010 to 2021	2021 to 2041	2041 to 2061	
Rotokauri	85	90	90	265
Ruakura	80	115 <sup>2</sup>	210 <sup>2</sup>	405
Te Rapa North	14	46	25	85
Horotiu	56	84	10	150
Hamilton Airport	74	50	0	124
Huntly and Rotowaro	8	8	7	23
Hautapu	20	30	46	96
<b>TOTAL HA</b>	<b>337</b>	<b>423</b>	<b>388</b>	<b>1148</b>

<sup>1</sup> Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

<sup>2</sup> Development beyond the 2021 period is subject to completion of the Waikato Expressway.

**Table 6: Future Proof and RPS industrial land allocation – northern Waikato**

Strategic Industrial Nodes located in the North Waikato (based on gross developable area) <sup>1</sup>	Industrial land allocation and staging (ha)			Total Allocation 2010 to 2061 (ha)
	2010 to 2021	2021 to 2041	2041 to 2061	
Tuakau	116	0	0	116
Pokeno	92	0	0	92
<b>TOTAL HA</b>	<b>208</b>	<b>0</b>	<b>0</b>	<b>208</b>

<sup>1</sup>Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

The allocations set out in Tables 5 and 6 cover a longer timeframe than the other parts of the settlement pattern. This is because it is important to have a general long-term indication of industrial land given the large amount of land required, the longer lead-in times and the importance of having certainty as to where the strategic industrial nodes for the sub-region are likely to be now and into the future.

Methods 6.14.2 and 6.14.3 of the RPS make provision for alternative land release for Table 6-2. This means that the allocations may be increased within a stage provided that the criteria in Method 6.14.3 can be met. This allows some flexibility if circumstances change.



## SECTION 7.5 A RESPONSIVE APPROACH TO DEVELOPMENT

Predicting future growth demands and trends is inherently difficult. There will always be unforeseen circumstances many beyond our control that can influence the demand for land supply. Such factors include local regional, national and global fluctuations in markets, new technology, changes in migration, and central government interventions in urban land use policy.

With so many factors potentially influencing growth, the Future Proof Settlement Pattern needs to be agile enough to respond to change. A settlement pattern that has some built-in responsiveness provides an ability to capitalise on previously unidentified or emerging opportunities that have potential to contribute significant economic, social or cultural benefits to our communities.

For this reason, the maps representing the Future Proof settlement pattern only provide a general indication of the extent of urban areas. More definitive boundaries are to be determined by each territorial authority through robust planning processes, including structure planning and more definitive urban boundaries which will be determined in district plans.

When considering proposals for change, such as the land uses identified in the settlement pattern or the timing and staging for land development set out in the Future Proof Strategy, it is critical that the guiding principles that underpin the settlement pattern are not compromised. Despite any change in global, national, regional or local circumstances, these guiding principles remain the foundation of strategic growth and development in the sub-region. Therefore when considering any changes to land use or the timing and staging of land development from that set out in the Strategy, they form the basis of any criteria developed to assess the merits of particular proposals.

A robust evidential basis for such changes will be needed in any given circumstance and will include the need to consider any implications that might exist for the wider sub-region. It is expected that in addition to the guiding principles, any proposals for change will, at a minimum, take into account:

- Consistency with the Future Proof Strategy guiding principles<sup>1</sup> and other statutory planning documents.
- Any proposal for change to land use or agreed timing and staging enables the Future Proof Partners to give effect to their NPS-UDC objective and policy requirements.
- Existing or committed public and private sector investments in land development and infrastructure. Development must be shown to be adequately serviced without undermining committed infrastructure investments made by Council to support other growth areas.
- The efficient and safe use of existing or planning infrastructure.
- Sustainable provision and funding of existing and future infrastructure. Development must be co-ordinated with the provision of infrastructure including utility services, and integrated with the transport network. The provision of infrastructure must take into account available or planned network capacity.
- Efficient use of local authority and central government financial resources.
- The ability for a developer to be able to pay for the necessary infrastructure.
- The compatibility of any proposed land use with adjacent land uses.

Proposals for change will be implemented through the RPS as well as at district council level through tools such as structure planning, master planning, plan changes, or Special Housing Area processes.

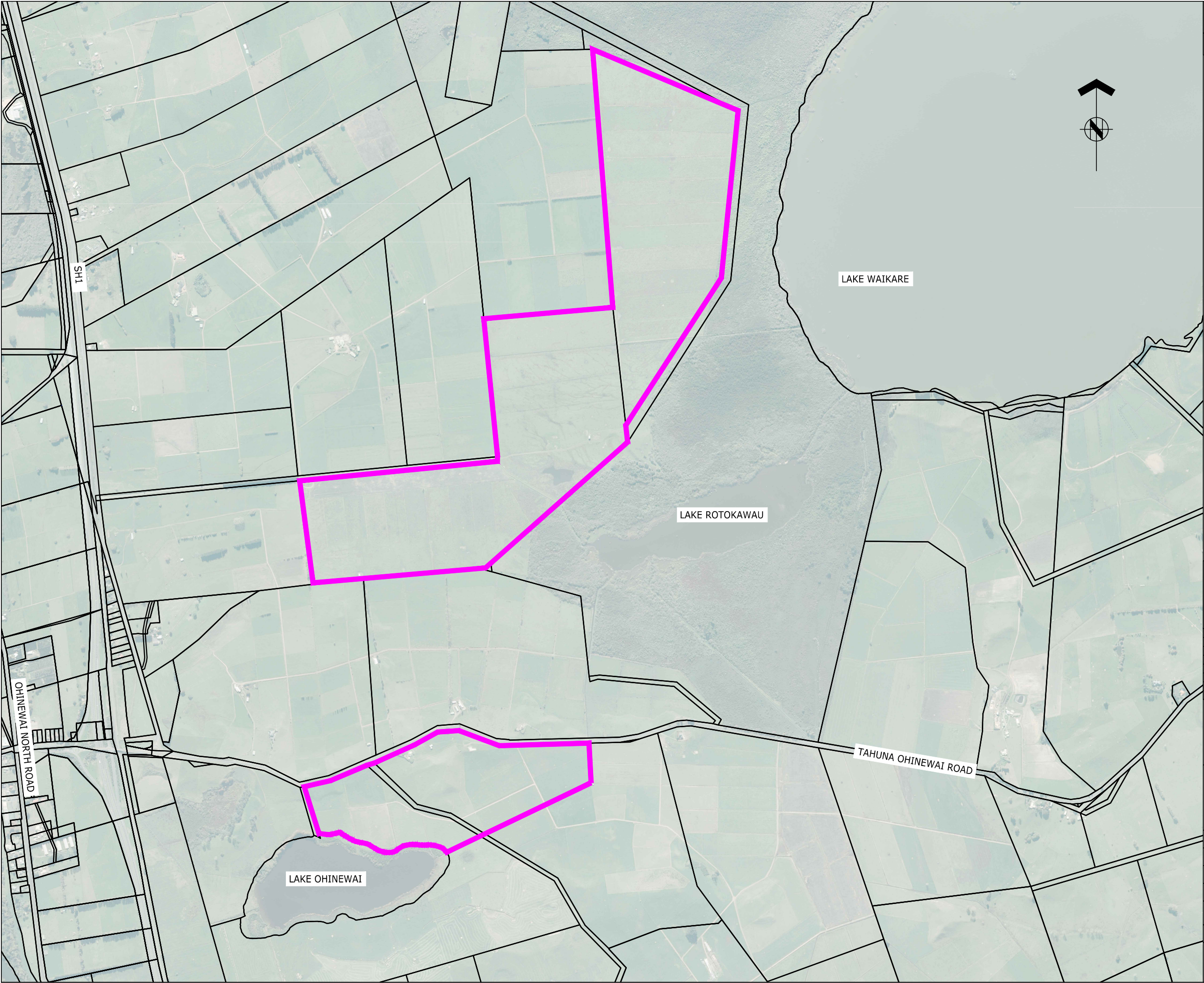
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<sup>1</sup> All guiding principles will be applicable, however particular regard will be had to those principles contained under the heading 'Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit' and 'Affordable and Sustainable Infrastructure'.

**ATTACHMENT 2**

**OLL LAND AREAS TO BE IDENTIFIED AS FUTURE URBAN ZONE IN  
THE PROPOSED WAIKATO DISTRICT PLAN**






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DRAWING No: 144739-01-008			REV 1