

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

IN THE MATTER of the Resource Management Act 1991
(RMA)

AND

IN THE MATTER of the Proposed Waikato District Plan

BETWEEN **OHINEWAI LANDS LIMITED**

Submitter [No. 428]

AND **WAIKATO DISTRICT COUNCIL**

Local Authority

**SUMMARY STATEMENT OF EVIDENCE OF MATTHEW WILLIAM
TWOSE FOR OHINEWAI LANDS LIMITED**

HEARING 25 – ZONE EXTENTS

(PLANNING)

Dated: 18 May 2021

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INTRODUCTION

1. My name is Matthew William Twose. I provided evidence in chief (**EIC**), dated 17 February 2021, on Planning matters related to Ohinewai Land Limited (**OLL**) submissions on the Proposed Waikato District Plan (**pWDP**) in relation to Hearing Topic 25 : Zone Extents – Rest of District.
2. In my EIC I outlined my qualifications, experience, and commitment to comply with the Environment Court Expert Witness Code of Conduct.

SUMMARY OF EVIDENCE

3. I have prepared this summary statement to highlight the key points from my evidence.

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4. OLL seek the rezoning of their land at Ohinewai. The adjacent landowner is Ambury Properties (**Ambury**) who also seek the rezoning of land in this area. On 14 September 2020 the Hearing Panel heard these submissions as part of Hearing Topic 19 and at the time of writing, a decision is pending.
5. 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**).
6. The OLL submission seeks to include as future urban land two areas of land:
 - (a) 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.
 - (b) 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.

Scope of evidence

7. 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.
8. 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.
9. My evidence is predicated on the first contingent matter being answered in the affirmative. In my view, the most appropriate planning tool to achieve urbanisation of the OLL land is the FUZ. The second contingent matter therefore is an assumption regarding the introduction of the FUZ provisions.
10. If the introduction of FUZ provisions occurs, then in my opinion the OLL proposal meets 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.
11. In the Council's s42A report Hearing 25: Zone Extents Rest of District, I note the reporting planner supports this approach for the first land area (39-hectare block south of Ambury's landholdings), but recommends against a FUZ being introduced for the second land area (northern, industrial block) due to insufficient evidence documenting the future uses and constraints of this land.

Two-Part Analysis: One. Urban Growth Policies

12. My evidence in support of OLL's submission involved a two-part analysis. The first is whether the land should be urbanised. I considered the WDC's urban growth management strategies and at a policy level the constraints and opportunities associated with the proposed urbanisation. My answer to the

first part is yes, leaving the question in the second part as to how the land will be urbanised.

13. In my opinion, the OLL proposal gives effect to the NPS-UD 2020 under Policy 8 and is consistent with the Waikato 2070 strategy. At Ohinewai, the strategy identifies two clusters of industrial land (south and north) and a residential land area within which the OLL land is located. The development timeframe is indicated as 1-10 years, with the exception of the Ohinewai north industrial cluster which has a 10-30 year timeframe.
14. The NPS-UD 2020 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 2020.

Two-Part Analysis: Two. How the Land will be urbanised

15. 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 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 report remain valid - there are no inherent physical or environmental constraints that would preclude urbanisation.
16. With regard to the OLL land to the north of the Ambury land areas I acknowledge the reporting planner's concerns regarding the level of evidence documenting the future uses and constraints of this land. However, if a strategic decision is made to include the land within a FUZ then a comprehensive planning assessment and analysis exercise like the one undertaken for OLL's southern block can then occur. This is essentially the same work as is involved in preparing a structure plan, which is a prerequisite to converting a FUZ to a live zoning. This level of analysis should not be a

pre-condition for introducing the FUZ itself as it is a 'holding zone' for future urbanisation.

CONCLUSION

17. 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 FUZ.

Matthew Twose

17 May 2021