

SECTION 42A REPORT

Opening Statement

Hearing 25: Zone Extents

Te Kowhai

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Date: 14 May 2021



I Introduction

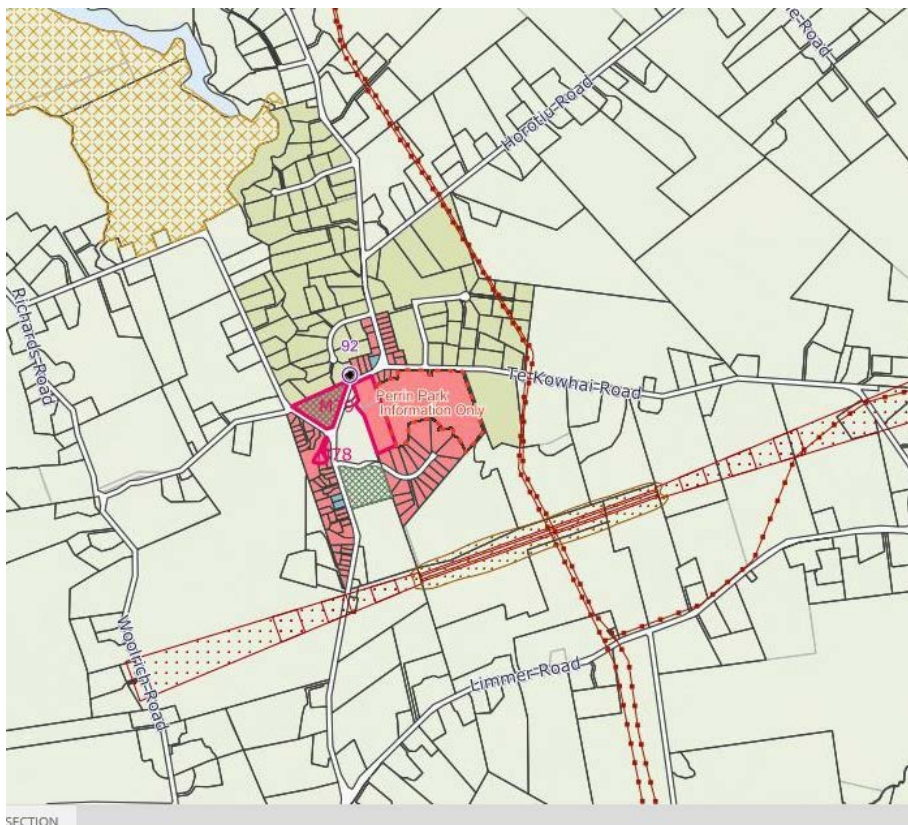
1. Good afternoon Chair, Commissioners and Submitters. My name is Jonathan Clease and I am the author of the s42A report (and the s42A rebuttal report) for Hearing 25: Zone Extents – Te Kowhai
2. The purpose of this opening statement is to provide you with a brief overview of the urban growth policy framework, submissions and my recommendations relating to this township.

2 Te Kowhai

2.1 Overview

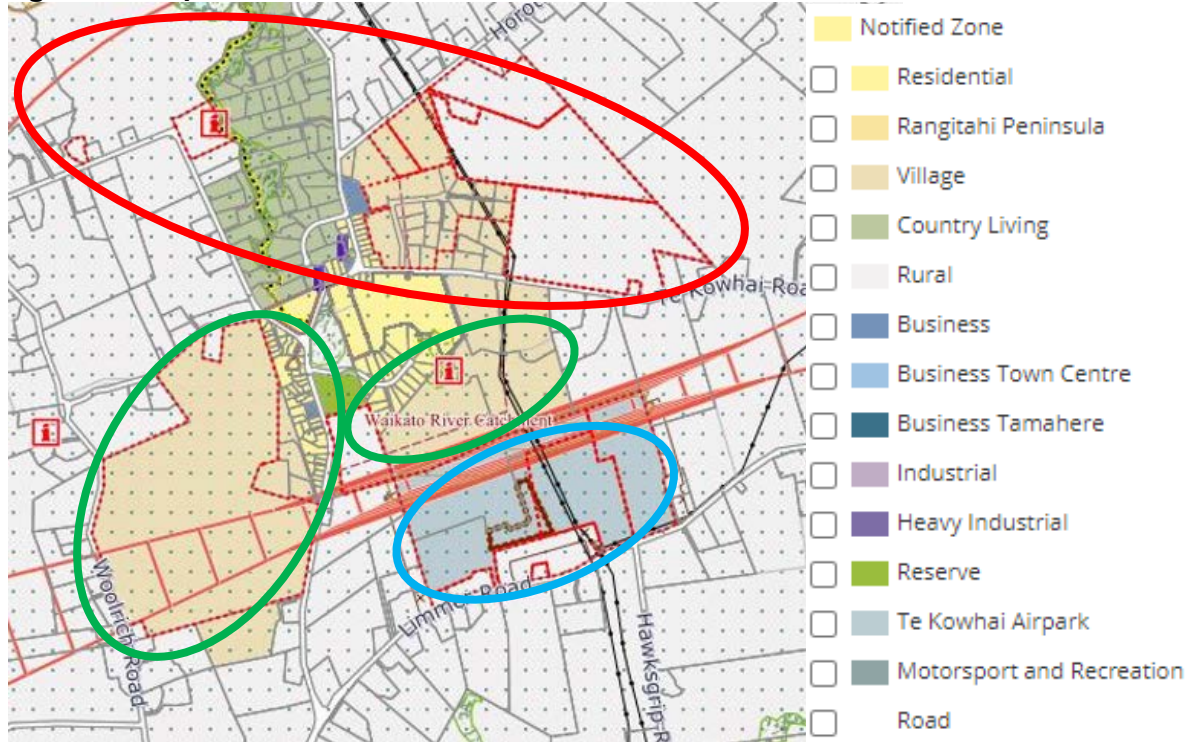
3. Te Kowhai has its origins as a small rural service town that provides a hub for local community facilities that include a primary school, community facilities, and a small cluster of local businesses. Te Kowhai has a population of 1,623 (as at 2016). The Operative Plan zoning is shown in Figure 1 below and provides for a Residential Zone in the centre of the township (pink) and areas of Country Living Zone to the north (olive green). The airfield has a Rural Zoning in the Operative Plan.

Figure 1. Operative Plan Zoning



4. The Proposed Plan as notified proposed to rezone one of the northern Country Living Zones to Village (noting that this northern block was largely undeveloped when the Plan was originally notified). These northern low density zones (and submissions seeking further expansion) are shown in the red circle in Figure 2 below. The Proposed Plan also included two large greenfield village zones to the south east and south west (shown as green circles in Figure 2 below). A mixed use / special purpose Airpark Zone was proposed around the existing aerodrome (shown as a blue circle in Figure 2).

Figure 2. Notified Plan zones and submitter locations



5. In terms of the higher order strategic direction guiding the development of Te Kowhai, the following is noted:
 - No further expansion of Village or Country Living Zoning is shown to the north of Te Kowhai in any of Future Proof, the WRPS, Waikato 2070, or the Te Kowhai Structure Plan;
 - Expansion to the southeast (between the existing Village and the airfield) is shown in Future Proof, WRPS, Waikato 2070 (10-30 year time period), and the Te Kowhai Structure Plan;
 - Expansion to the southwest (the Metcalfe block, shown in the larger green circle) is not shown in Future Proof, the WRPS, or the Te Kowhai Structure Plan. It is however shown in W2070 in the 10-30 year time period;
 - Urban development over the airfield is shown in Future Proof, WRPS, and Waikato 2070 (as an 'airpark precinct'), but is not shown in the Te Kowhai Structure Plan.
6. The findings of the recent 'Population, Household and Land Capacity Report (December 2020)' prepared by Waikato District Council show that the number of households in Te Kowhai needs to effectively double from the current 670 households to approximately 1,300 households over the next 30 years (based on an NPS projection of medium growth + 20%). There will be a shortfall of supply of some 250 households to 2030, and then a surplus of supply once the large greenfield areas are reticulated and developed.
7. Given the small size of the existing township, a minimal amount of infill is anticipated, with the majority of new households to be delivered through greenfield expansion. The township does not currently have any reticulated capacity for any of the three waters. Wastewater in particular is a significant current constraint, with the most plausible solution being to extend

a pipeline from Horotiu (with sewage ultimately connecting to the Ngaruawahia treatment plant). This connection is not programmed in the Long Term Plan.

8. The township is not generally constrained by natural hazard risk, with flood risk limited to a defined area along the margins of the Te Otamanui Stream. Ecological areas are likewise limited to the stream corridor and headwaters. A long-established quarry is located to the northwest of the township, and a reticulated gas pipeline runs in a north-south direction to the east of the township (through the airpark and the southeast Village Zone growth area (shown as two parallel black lines in Figure 1)).

3 Submissions received

9. There are a number of common themes emerging from submissions as follows:
 - a. Submitters seeking further low density Country Living or Village Zoning, with such outcomes opposed by Hamilton City Council and Waikato Regional Council;
 - b. Submitters seeking the retention of two new greenfield areas to the southeast and southwest of Te Kowhai that are shown as Village Zone in the notified Plan;
 - c. Submitters both in support and opposition of a bespoke Te Kowhai Airpark Zone providing for a mixed use area around the existing aerodrome;
 - d. Submitters seeking a large greenfield Residential Zone in the Rotokauri area immediately west of the Te Rapa interchange, and south of Horotiu.
 - e. Unlike the larger townships, Kainga Ora did not seek to apply a new Medium Density Residential Zone to Te Kowhai. There are likewise no submissions seeking new industrial zones;

3.1 Analysis of submissions

10. Overall, my recommendations on submission points seeking to alter the notified zoning pattern in and around Te Kowhai reflect:
 - (a) Confirmation of the northeast Village Zone which applies over what was a Country Living Zone in the Operative Plan;
 - (b) Opposition to further greenfield Country Living or Village zoning to the north of township, with an exception of three discrete lots on Bedford Rd adjacent to an existing Country Living Zone to achieve a more logical zone boundary;
 - (c) Support for the Te Kowhai Airpark Zone over the existing airfield and adjacent landholdings (and Village zoning for two separately owned sites on Limmer Road), noting the identification of these areas as being suitable for urban development in the higher order documents. The policy and rule framework for this bespoke zone were considered in Hearing 17. This earlier hearing considered the merit of noise contours (and acoustic insulation requirements for new sensitive activities) and Obstacle Limitation Surfaces. The airpark concept also includes areas within Precincts C and D for residential development. The quantum and staging of the residential elements are primarily a matter for Hearing 17 (as they are policy/ rule based rather than zone boundary based). The need for some form of staging rule is primarily dependent on the delivery of appropriate on-site services to support more intensive dwelling typologies and densities;
 - (d) Support for the two greenfield Village Zones to the southeast and southwest being identified as suitable in principle for urbanisation. The south eastern block is consistently identified in the higher order documents as an urban growth area. The southwestern block

is only shown in W2070, however the evidence from both Waikato Regional Council and Hamilton City Council is that development of this block is only opposed where it is to unserviced lifestyle block densities. The merit of live zoning these two blocks, and the rule package relating to some form of transitional density pending future reticulation, was discussed in length in Hearing 6. My recommendations across the District Plan Review process have been somewhat iterative as further potential zoning options have become available.

The Proposed Plan as notified provided a transitional approach with a live Village Zone that enabled low density unserviced lots that can then be further subdivided once reticulated services become available.

My Hearing 6 recommendation was for the greenfield Village Zones to be subject to an overlay which prevented development until services were available, at which point development would be to more urban densities.

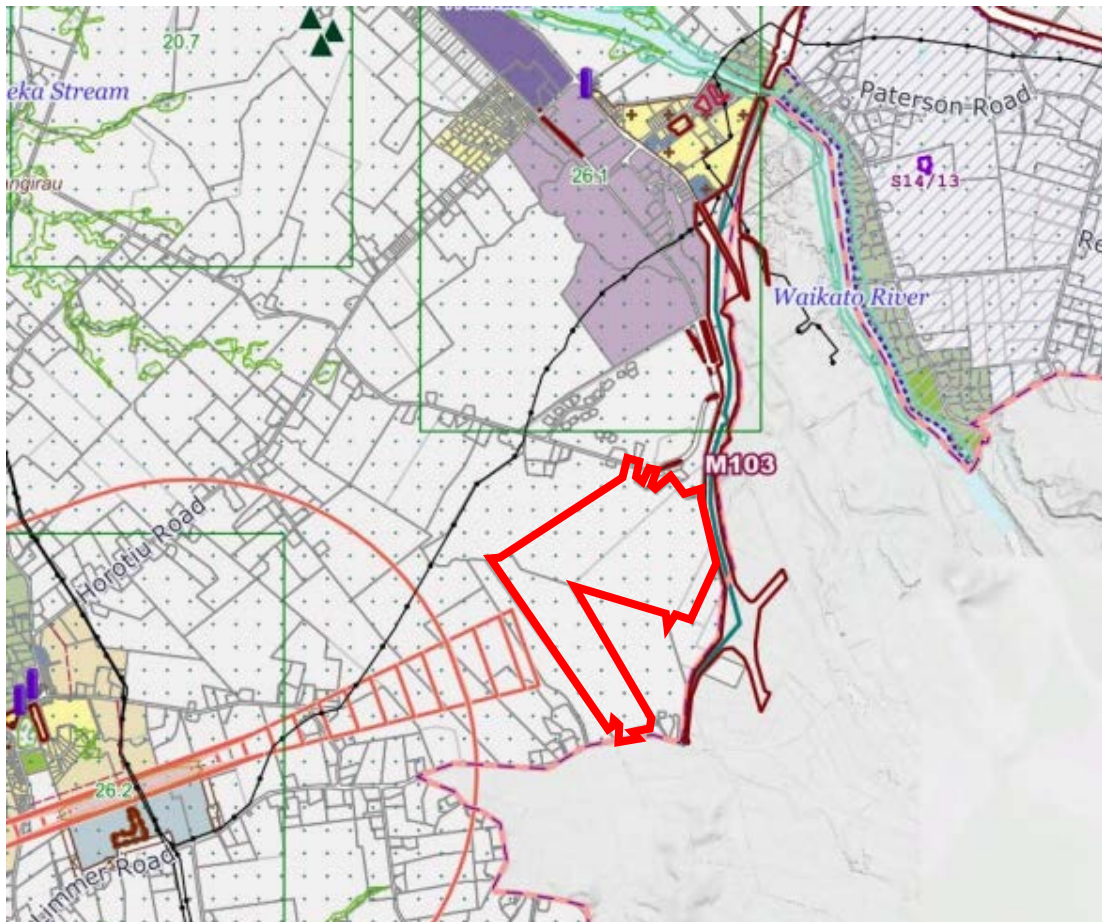
My current recommendations are that rather than some form of Village Zoning with overlays, a more effective approach is a Future Urban Zone. This zoning clearly signals the long-term intention for these blocks to be urbanised. It therefore enables the provision of reticulated services to be progressed with certainty through the Long Term Plan (or via private developer agreements). It enables more detailed site planning and structure plans that consider how best to respond to the reticulated gas pipeline and areas of steeper topography through a future plan change process. The FUZ provisions also include rules to preserve the urban potential of these blocks by limiting ad hoc subdivisions or rural activities that would frustrate residential development in the future.

I am therefore in agreement with the submitters that these areas are appropriate for urbanisation in the future. The key issue is the timing of infrastructure and whether a live zone, a live zone with a rule trigger regarding reticulated services, or a Future Urban Zone is the most efficient and effective tool.

4 Rotokauri

11. In addition to consideration of submissions in Te Kowhai, I also assessed submissions from Hounsell Holdings Ltd [832] seeking to rezone a large block of land in the Rotokauri area to the east of Te Kowhai, south of Horotiu, and west of the urban edge of Hamilton City. The submitter seeks for this area and adjacent landholdings to ultimately be developed for up to 3,300 households and associated community and local commercial facilities. As set out in the rebuttal evidence of Mr Batchelor on behalf of the submitter, the Hamilton urban area is expected to grow over coming years (as indicated in existing structure plans) to ultimately be located immediately south of this block. The location of this block is shown in Figure 2 below.
12. As set out in my s42a report (and addendum report dated 21 April), this area is not identified as a growth area in any of Future Proof, the VRPS, Waikato 2070, or any structure plans. The level of site-specific analysis that would normally underpin a rezoning of this size has likewise not been undertaken by the submitter, with logical long-term urbanisation also requiring the inclusion of a number of adjacent blocks of land controlled by other parties, and from my reading being beyond the scope of the original submission. This lack of a robust evidential base is reflected in the evidence (and rebuttal evidence) of Mr Batchelor on behalf of the submitter where Mr Batchelor does not support a live zoning, but does support a Future Urban Zone (or Hamilton Urban Expansion Area Overlay) to signal the long-term suitability of the area for urbanisation and to maintain its development potential in the meantime

Figure 2. Rotokauri area with submitter block in red



13. I acknowledge that the site (and several intervening blocks) is located near to land that will over time become part of Hamilton's urban area. The long-term development of this block for urban purposes may ultimately be able to contribute to a functional urban environment. My recommendations regarding this block are primarily based around timing and process. In my view the level of information currently before the Panel, combined with the lack of identification of this block in the higher order documents, means that it would be premature to identify this site as a Future Urban Zone. I acknowledge that this creates a risk that activities could establish in the meantime that would frustrate future urbanisation, however there is in my view simply too much uncertainty regarding the 'in principle' acceptability of this area for urbanisation to justify a FUZ at this point in time. Given that the submitter block is in single ownership, and the submitter is clearly seeking to realise the site's potential, there appears to be a low risk that that same submitter would establish activities that would reduce urbanisation potential.
14. Consideration of this block can form part of future work programmes including updates to Future Proof, the ongoing spatial planning work underway on both the metropolitan Hamilton area and the Hamilton to Auckland corridor, and the Housing and Business Capacity Assessment ('HBA') required to be undertaken by the NPS-UD. If appropriate, a plan change can be undertaken in the future (initiated by either the Council or as a private plan change) that addresses any HBA identified shortfalls in capacity, includes adjacent landholdings to deliver a logical urban form and connections, and that is underpinned with the level of site-specific analysis necessary to inform a rezoning proposal of this scale. A future plan change could also potentially examine the further growth of Horotiu for industrial purposes and the intervening area of land between Horotiu and the submitter's property so that urbanisation of this wider area was considered in an integrated and coherent manner.