

SECTION 42A REPORT

Report on submissions and further submissions on the
Proposed Waikato District Plan

Hearing 25: Zone Extents Ngaruawahia, Taupiri & Horotiu

Report prepared by: Justine Ashley

Date: 16 April 2021



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List of submitters and further submitters addressed in this report

Original Submitter	Submission number
Carmen Allen	96
Warren Allen	95
Alstra (2012) Limited	693
John Baillie	157
Alan Bekhuis	396
Beverage Developments Ltd	166
Bilimoria Consulting Ltd	64
Bilimoria Consulting Ltd	76
Blue Wallace Surveyors Ltd on behalf of Howard Lovell	974
Reginald Briggs	966
Colette Brown	840
Brownie Investments	131
Jeremy Buxton	671
Karl Crook	155
Kim Crook	138
Mark De Lautour	40
Dixon Family Trust	740
Michael Draper	608
Mark Fendall	121
Future Proof Implementation Committee	606
Michele Gamble	137
Simon Gibson	133
Hamilton City Council	535
Roger Heaslip	167
Housing NZ Corporation	749
Paul Ivory	375
Don Jacobs	768
Paul Liddle	665
Howard Lovell and Rudi Van Dam	805
Riki Manarangi	409

Further Submitter	Submission number
John and Margherita Allan	FS1116
Alstra (2012) Limited	FS1316
Ambury Properties Ltd	FS1224
Auckland Transport	FS1273
Rosita Dianne-Lynn Barnes	FS1368
Alan Bekhuis	FS1161
Blue Wallace Surveyors Ltd	FS1287
Colette Brown	FS1039
Brownie Investments Limited	FS1036
Gulab Bilimoria	FS1017
Martin Coenen	FS1382
Dorothy Derecourt and David Mckeown	FS1094
Mark de Lautour	FS1088
Gordon Downey	FS1157
Eric and Vickie Finlay	FS1102
Fonterra Limited	FS1333
Genesis Energy Ltd	FS1345
Hamilton City Council	FS1379
Havelock Village Ltd	1377
Housing New Zealand Corporation	FS1269
Greg and Natalie Kelly	FS1104
Kiwi Green NZ Ltd	FS1050
KiwiRail Holdings Ltd	FS1272
Kevin Desmond Mattson	FS1103
Christian & Natasha McDean	FS1204
Christine McNeill	FS1101
Mercury NZ Limited	FS1223
Mercury NZ Limited for Mercury C	FS1386
Mercury NZ Limited for Mercury D	FS1387
Mercury NZ Limited for Mercury E	FS1388

Daniel Miles	142
New Zealand Transport Agency	742
Northgate Developments Ltd & Northgate Industrial Park Ltd	790
Warren & Heather Parker	187
Perry Group Limited	464
Ports of Auckland Limited	578
Property owners on Galbraith St, Jacobs Lane and Old Taupiri Road	670
Kathleen Reid	130
Trevor Reid	128
Stephen Roberts	859
Bruce Stirling	674
Tangata Whenua Working Group	388
The Coffee Club Te Rapa Service Centre	329
Simon Upton	756
Waikato District Council	697
Whenua Holdings Waikato Limited	829
James Whetu	265
Ken Williamson	622
Mark Woodham	839
Z Energy Ltd	589

<i>Margaret Lindsay Mitchell</i>	<i>FS1100</i>
<i>Newstead Country Preschool</i>	<i>FS1182</i>
<i>Newstead Residents Association</i>	<i>FS1216</i>
<i>New Zealand Transport Agency</i>	<i>FS1202</i>
<i>Ngaruawahia Action Group Incorporated</i>	<i>FS1027</i>
<i>Noel Gordon Smith</i>	<i>FS1183</i>
<i>Northgate Industrial Park and Northgate Developments</i>	<i>FS1312</i>
<i>Gavin Lovegrove and Michelle Peddie</i>	<i>FS1149</i>
<i>Perry Group Limited</i>	<i>FS1313</i>
<i>Gregory Philip and Barabara Wiechern</i>	<i>FS1099</i>
<i>Pokeno Village Holdings Limited</i>	<i>FS1281</i>
<i>Ports of Auckland Limited</i>	<i>FS1087</i>
<i>Quinn Haven Investments Limited and M & S Draper</i>	<i>FS1317</i>
<i>Ian Jospeh Robson and Sandra Joan Robson</i>	<i>FS1096</i>
<i>Stephen Roberts</i>	<i>FS1119</i>
<i>Shand Properties</i>	<i>FS1191</i>
<i>St Isadore Company Limited</i>	<i>FS1109</i>
<i>Tamara Huaki</i>	<i>FS1164</i>
<i>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)</i>	<i>FS1108</i>
<i>The Surveying Company</i>	<i>FS1308</i>
<i>Dennis and Jan Tickelpenny</i>	<i>FS1280</i>
<i>Turangawaewae Trust Board</i>	<i>FS1139</i>
<i>Simon Upton</i>	<i>FS1107</i>
<i>Waikato Regional Council</i>	<i>FS1277</i>
<i>Watercare Services Ltd</i>	<i>FS1176</i>
<i>Whaingaroa Environmental Defence Inc. Society</i>	<i>FS1276</i>
<i>Greg and Shirley Weller</i>	<i>FS1106</i>

Please refer to Appendix I to see where each original submission point is addressed within this report.

I Introduction

I.1 Qualifications and experience

1. My full name is Justine Mary Ashley. I am a Director of Planz Consultants Ltd, a Christchurch-based resource management consulting company. I hold a Bachelor of Resource Studies and a Postgraduate Certificate in Resource Studies from Lincoln University. I have over 20 years' experience as a resource management planner and I am a full member of the New Zealand Planning Institute. I am also an accredited hearing commissioner (with chair certification) and have acted as an independent commissioner for local authorities in the Canterbury region.
2. I have been involved in a wide range of planning projects for both the public and private sector, specialising in policy and plan development. I have spent the last few years in a lead role for the Selwyn District Plan Review, with this work including the overall co-ordination and review of all planning processes, assessment reports, stakeholder and community engagement, draft provisions and associated s32 evaluations. I have also been involved in a number of plan reviews and the preparation and processing of resource consent applications and notices of requirements.

I.2 Code of Conduct

3. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
4. I am authorised to give this evidence on the Council's behalf to the hearings commissioners.

I.3 Conflict of Interest

5. To the best of my knowledge, I confirm that I have no real or perceived conflict of interest.
6. Planz Consultants Ltd have undertaken work for Kainga Ora through the preparation of resource consents for new social housing units in Christchurch. This consenting work has been geographically limited to Christchurch only. Planz have likewise not provided any advice to Kainga Ora on district plan or policy matters. As such, I do not consider that a conflict of interest is created in assessing submissions lodged by Kainga Ora regarding the potential Medium Density Zone in the Waikato District. Similarly, it is noted that Fonterra Ltd are a further submitter on a submission addressed in this report. While Planz has undertaken work for Fonterra throughout New Zealand, the company has not provided any planning advice to Fonterra in relation to the Waikato District Plan Review.
7. Other than the above submitters, Planz do not have any clients that have made submissions on the topics dealt with in this report.

I.4 Preparation of this report

8. I am the author of this report which has been prepared in accordance with section 42A of the Resource Management Act (RMA). The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
9. In preparing this report, I have had regard to the information and expert evidence provided in the s42A Hearing 25: Zone Extents – Framework Report prepared by Dr Mark Davey (dated 19 January 2021) and other relevant s42A reports, including:

- Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone prepared by my colleague Mr Jonathan Cleave (dated 26 January 2021);
- Hearing 10: Residential Zone prepared by Alan Matheson and Louise Allwood

2 Scope of Report

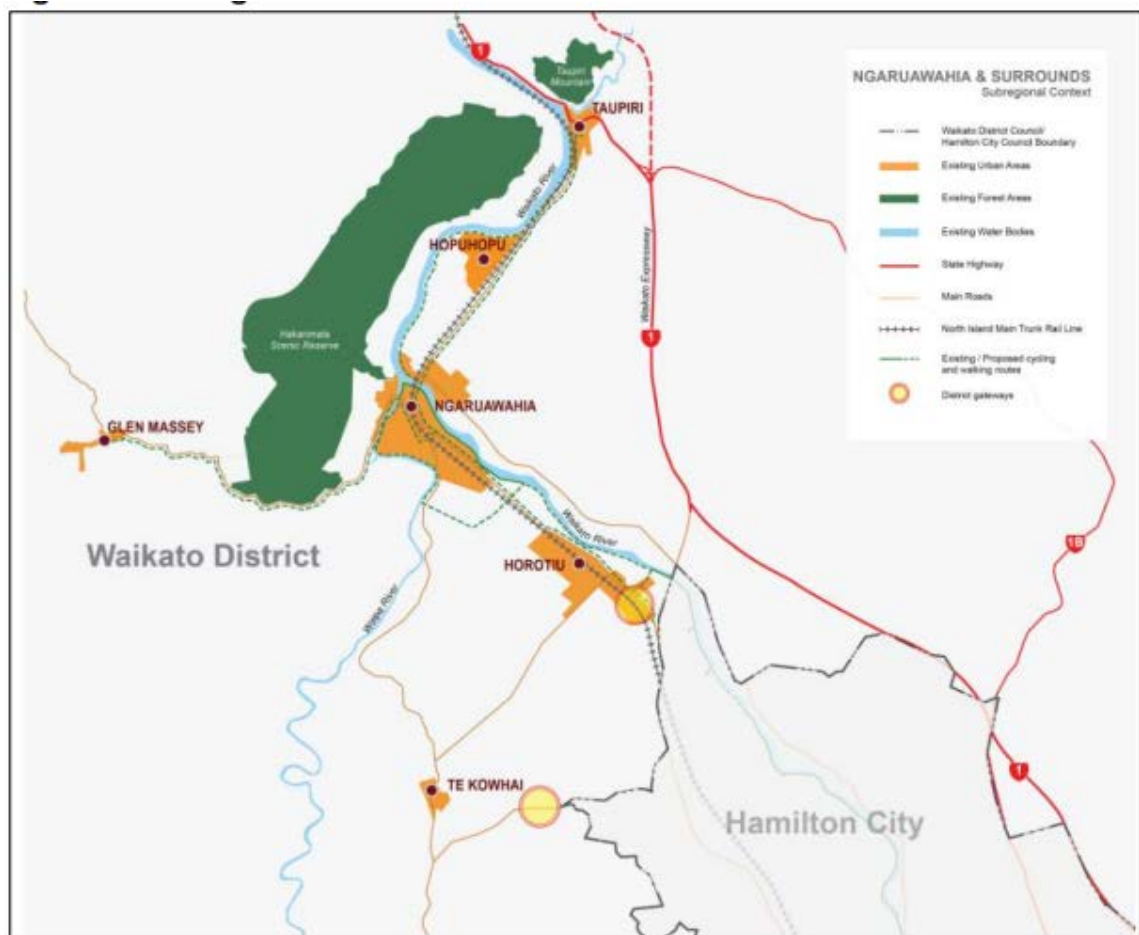
2.1 Matters addressed by this report

10. This report considers submissions that were received by the Council in relation to the zoning of land in and around Ngaruawahia, Horotiu and Taupiri settlements and forms part of the submissions seeking rezoning across the Waikato Proposed District Plan (PDP). Provisions relating to subdivision and land use activities within these zones have been dealt with in separate s42A reports considered in earlier hearings. As such, the scope of this report is limited to the geographic extent and appropriateness of the zone that is subject to submission.

2.2 Overview of Ngaruawahia, Horotiu and Taupiri settlements

11. Ngaruawahia, Horotiu and Taupiri are located immediately to the northwest of Hamilton City, with the entrance to Horotiu being identified as a district gateway. Prominent landscape features of Ngaruawahia and surrounds include the natural and cultural values attributed to the Waikato and Waipa Rivers, the Hakarimata and Taupiri Ranges and the peat lakes to the west of Ngaruawahia Township.

Figure 1: Location of Ngaruawahia, Horotiu and Taupiri settlements¹



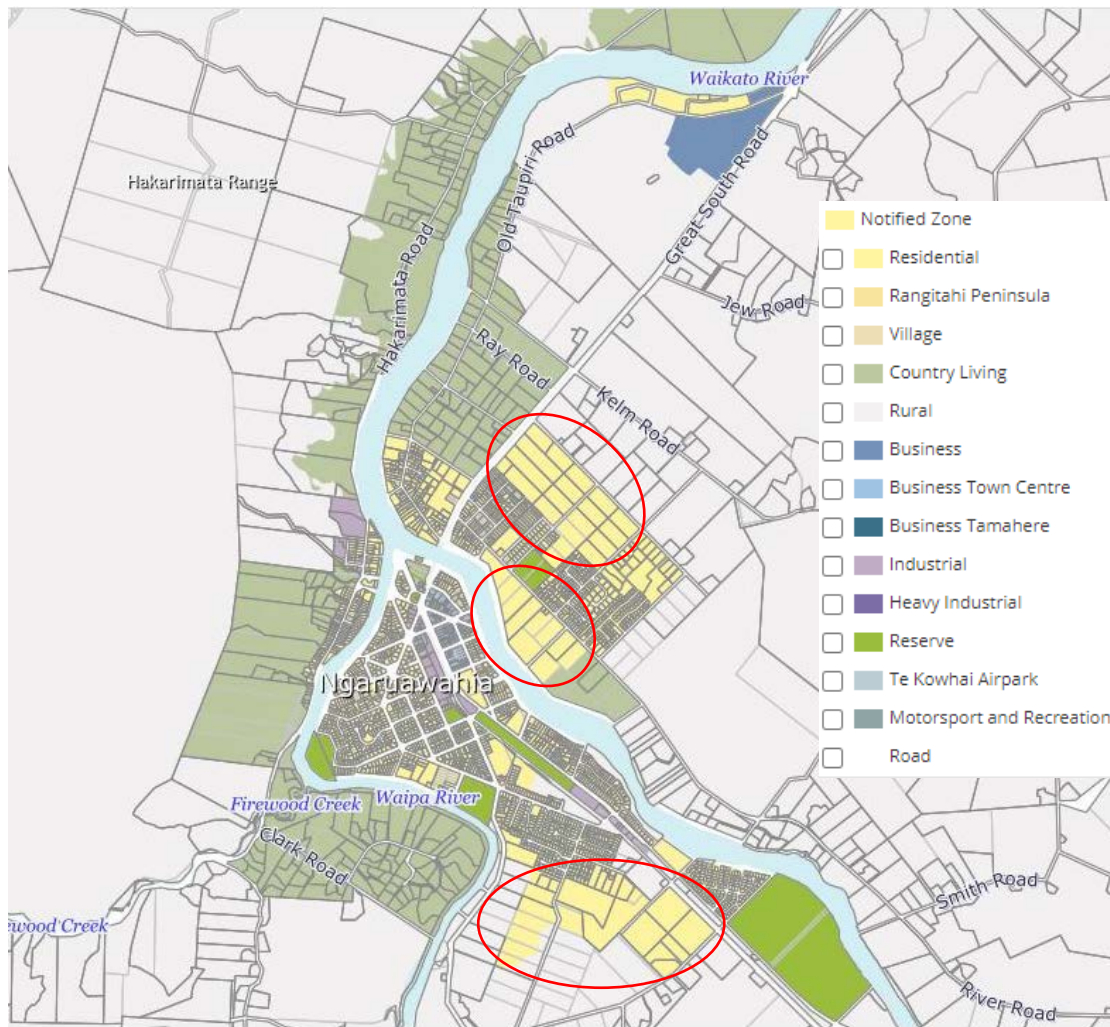
¹ Source: Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)

12. This part of Waikato District has experienced the spillover effects of urban growth from the expansion of Hamilton City, particularly in light of the infill and commercial and industrial development that has extended northwards to Te Rapa on the western side of the Waikato River and new residential development extending northwards from Rototuna over the last 10-15 years. Road transport connections have also been improved with the rollout of the Waikato Expressway project, which included the Te Rapa bypass in 2012 and the Ngaruawahia bypass in 2013. The townships are also serviced by the North Island Main Trunk Rail Line (NIMT)².

Ngaruawahia

13. Ngaruawahia had a population of 6,621 at the 2018 New Zealand census, an increase of 1,257 people (23.4%) since the 2013 census. As evident by the zoning pattern in the PDP, the town comprises mostly residential activities, including a large area of Country Living adjacent to both the Waipa and Waikato Rivers. Commercial activities are centred around the Business Town Centre, with opportunities for industrial development provided adjacent to Great South Road and the NIMT. An additional Industrial Zone pocket recognising existing land uses is located off Hakarimata Road on the western side of the Waikato River.

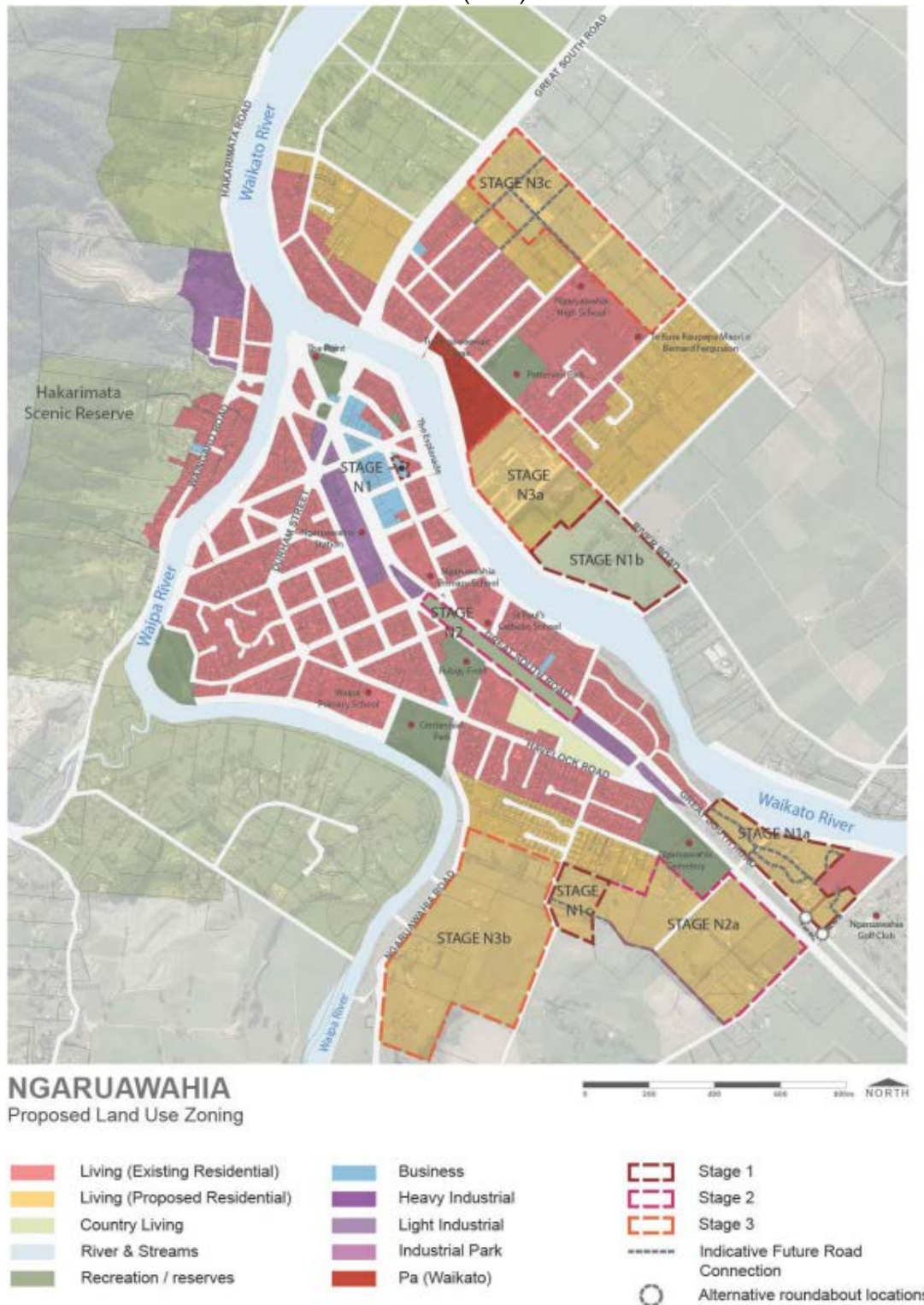
Figure 2: Notified Proposed Waikato District Plan zones – Ngaruawahia



² Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)

14. The PDP zoning pattern largely reflects that of the Operative Waikato District Plan (ODP), with the exception of extensions to the Residential Zone in the vicinity of Galbraith Street and Starr Road to the north; River Road immediately to the north of the Waikato River; and Saalbrey Road to the south (as indicated by the red circles in Figure 2 above). These urban growth areas are consistent with those identified through the Structure Plan process undertaken in 2017 for Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey, as shown in the map in Figure 3 below. It is further noted that intensive poultry farming activities are currently located within both of the northern growth nodes (labelled as Stage N3a and Stage N3c below).

Figure 3: Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)



15. As outlined in the s42A Framework Report, Waikato 2070 identified Ngaruawahia as one of the towns where residential growth is to be accommodated over the next 40 years. It is also noted that a key finding of the recent 'Population, Household and Land Capacity Report (December 2020)' prepared by Waikato District Council (WDC), is that while the district's towns have been found to have significant in-fill and redevelopment capacity, the likely

quantum of in-fill and re-development that will occur is conservatively estimated at only 10% due to a range of market factors.

16. The household supply and demand analysis for Ngaruawahia that is contained in this WDC report, including the anticipated location and timing of urban growth, is outlined below.

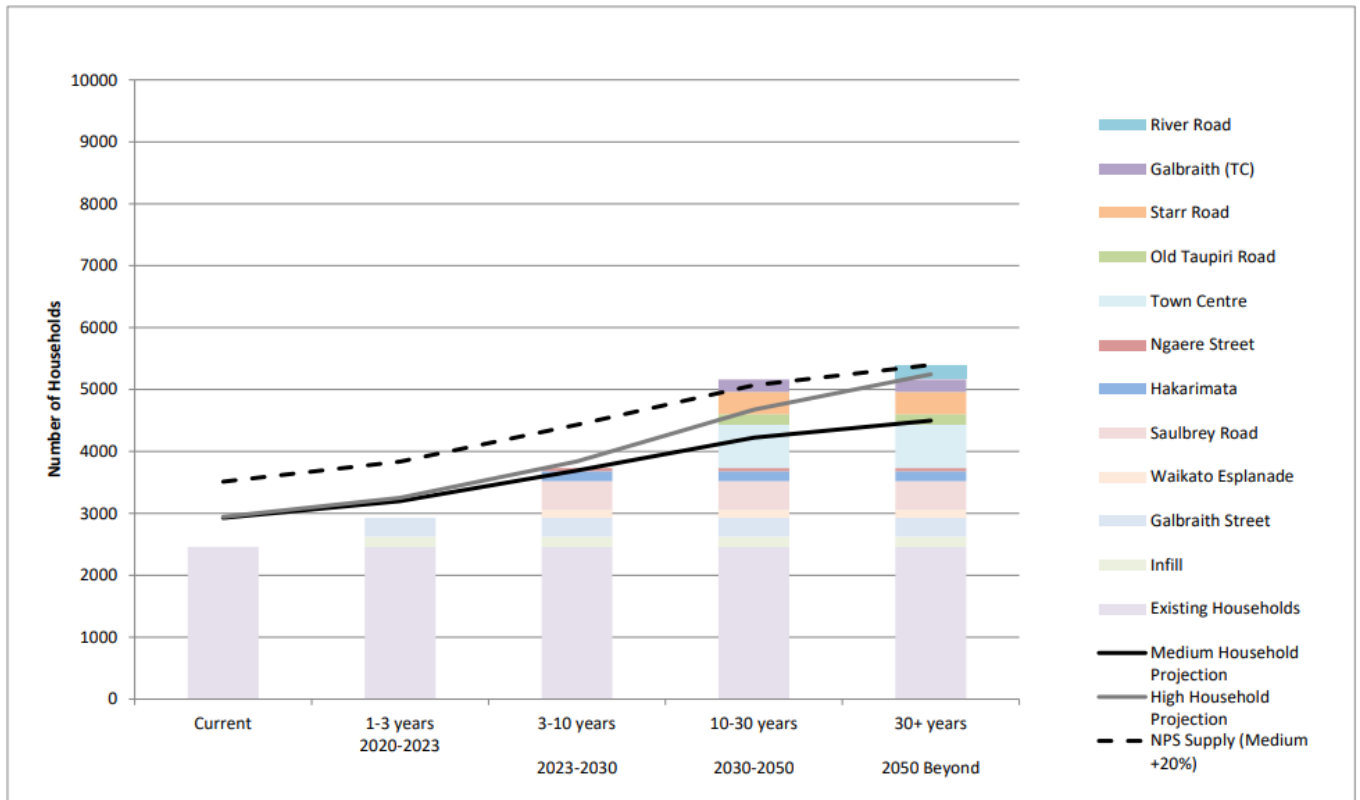


Figure 10. Ngaruawahia supply and demand analysis

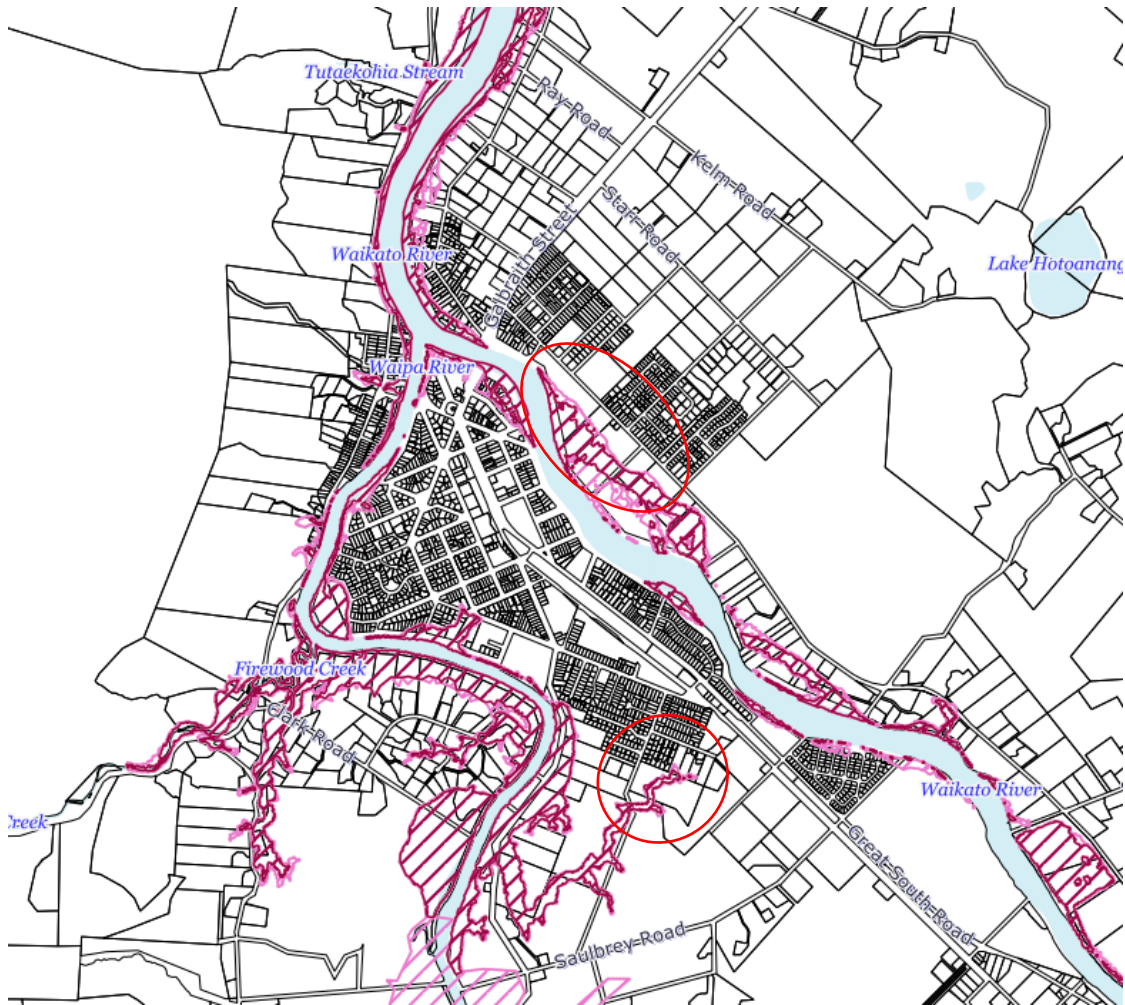
17. Infrastructure and servicing requirements will need to be addressed through the Council's Infrastructure Asset Management Plans and Long Term Plan, while the development of the Open Space network will be addressed in the Council's Parks and Reserves Strategy. It is further noted that the technical assessment commissioned as part of the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan project concluded that the impact of population growth in and around Ngaruawahia on the existing water and wastewater networks is minimal³.
18. Similarly, the transport assessment undertaken as part of the same Structure Plan project concludes that because of the Te Rapa and Ngaruawahia Sections of the Waikato Expressway removing much of the former state highway traffic from the historical routes of SH1 and SH39 through Ngaruawahia and parts of Taupiri and Te Kowhai, there is little in the way of structure planning required from a roading perspective. The only exception to this is the need to construct a future upgraded intersection where Great South Road meets Saulbrey Road (see 'alternative roundabout locations in Figure 3 above) and ensuring connectivity between Saulbrey Road and the existing urban development to the north⁴.
19. In terms of natural hazard risk, it is recognised that a High Flood Risk Area (as proposed via Stage 2 of the PDP) has been identified over some of the residential growth areas that have been zoned in the PDP. However, the extent of this hazard risk, and that of the Flood Plain Management Area, is fairly limited, with part of the River Road growth area on the northern

³ Ngaruawahia Structure Plan: Water and Wastewater Technical Assessment, Beca (August 2014)

⁴ Ngaruawahia and Surrounds Structure Plan: Integrated Transportation Assessment, AECOM (September 2014)

side of the Waikato River affected and a Waipa River overland flow path extending into the new Saulbrey Road urban area (as indicated by the red circles in Figure 4 below).

Figure 4: Notified Proposed Waikato District Plan – Stage 2 (Natural Hazards) – Ngaruawahia



Horotiu

20. Horotiu is a small settlement comprising of a mix of residential and industrial activities, with a population of 624 at the 2018 New Zealand census. The settlement is located on the northern edge of Hamilton at the junction of Great South Road, Horotiu Road and Horotiu Bridge Road (a key crossing point over the Waikato River). Horotiu has good accessibility with an interchange access to the Te Rapa Bypass and is also located on the NIMT. Horotiu has been identified as a significant industrial node due to its strategic location.
21. The PDP zoning pattern largely reflects that of the ODP, with the key change being the rezoning of the Kernott Road area from Country Living to Residential (as indicated by the red circle in Figure 5 below). It is noted that this rezoning does not appear to have been signalled through the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan process, as shown in Figure 6 below.

Figure 5: Notified Proposed Waikato District Plan zones – Horotiu

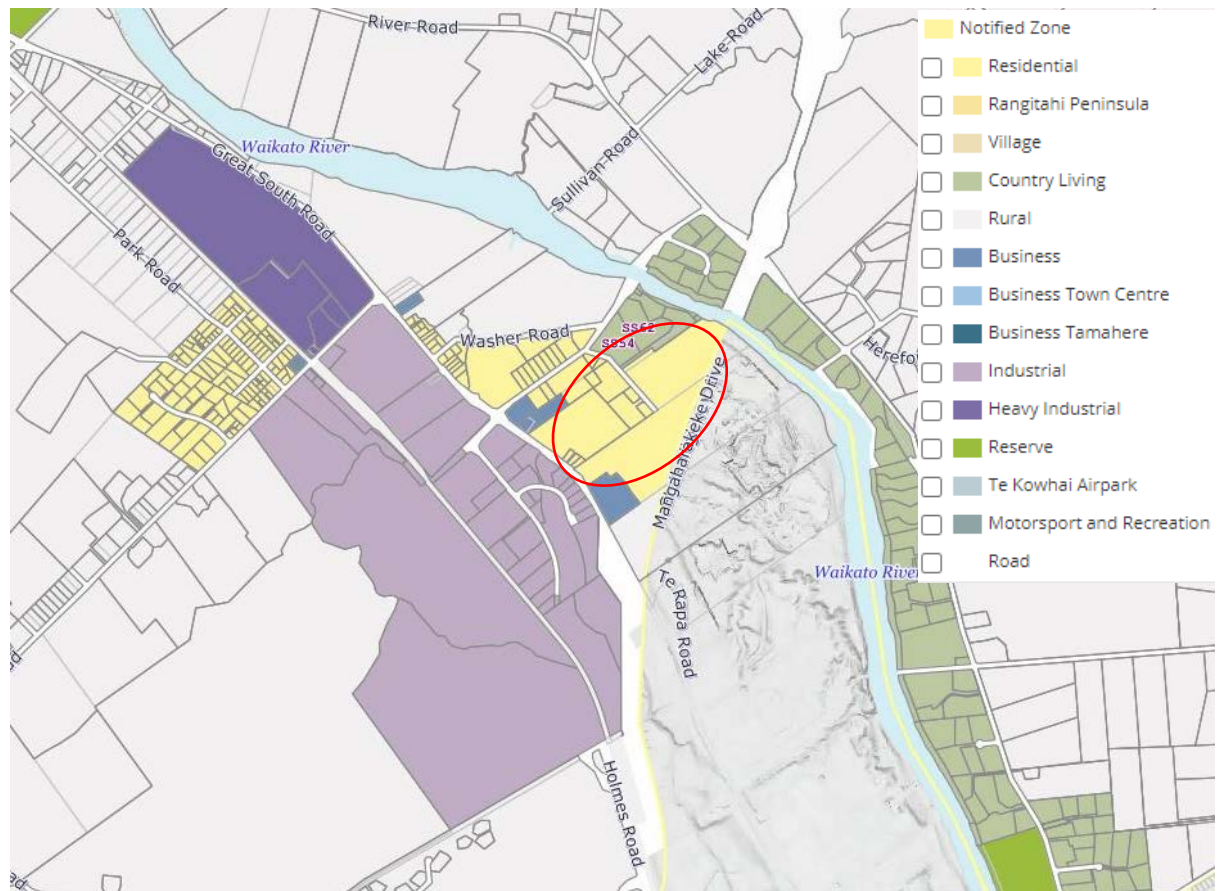
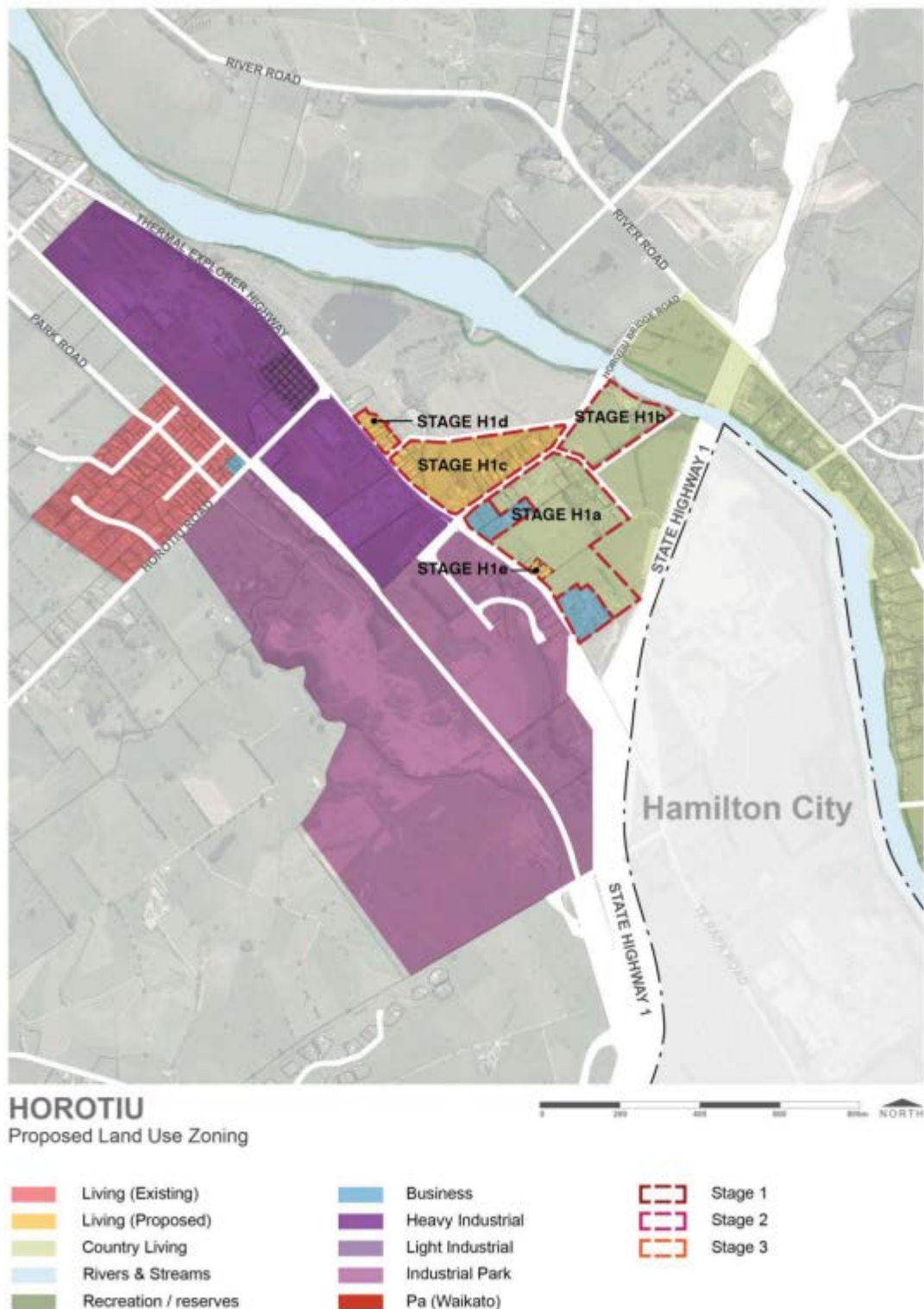


Figure 6: Ngaaruwaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)



22. While Horotiu is also identified in Waikato 2070 as a settlement where future residential growth is to be accommodated, the anticipated quantum, location and timing of such growth is relatively modest, as outlined in the analysis contained in the recent 'Population, Household and Land Capacity Report (December 2020)' prepared by WDC and reproduced below.

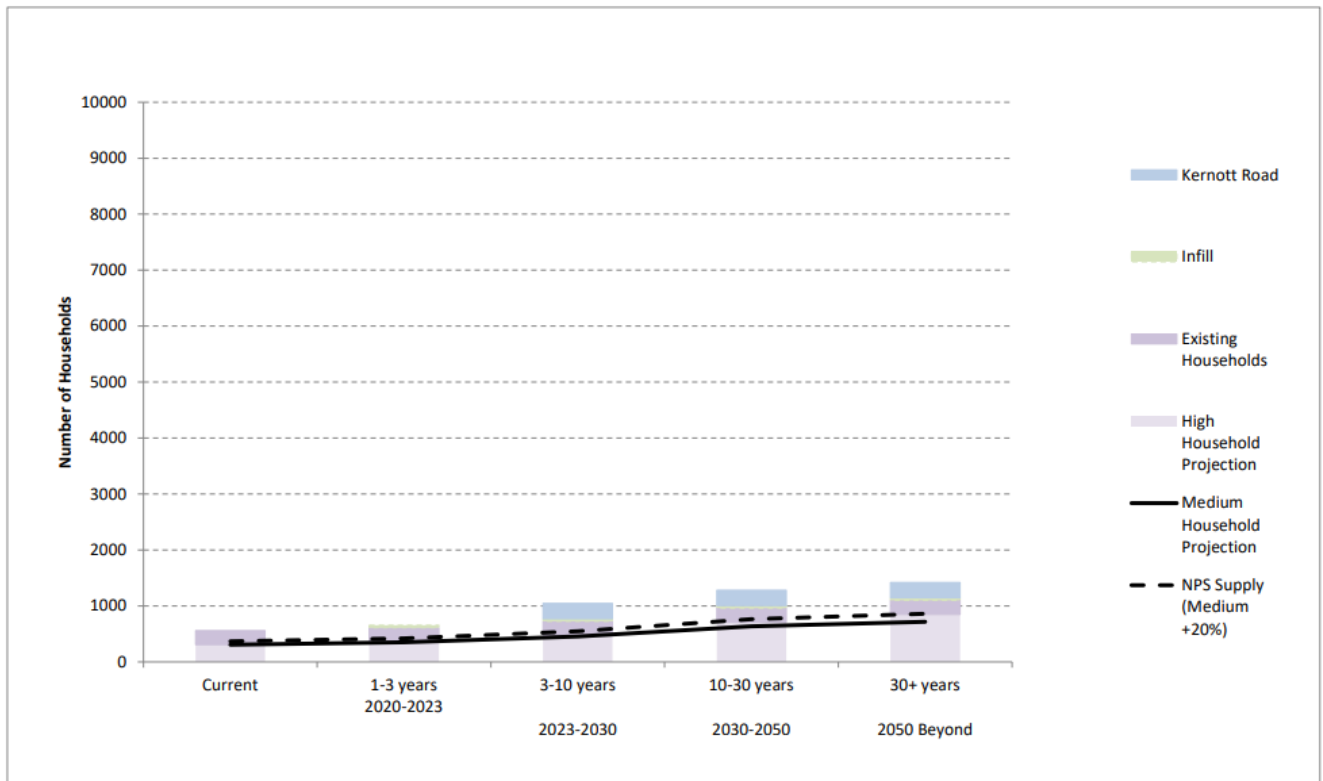


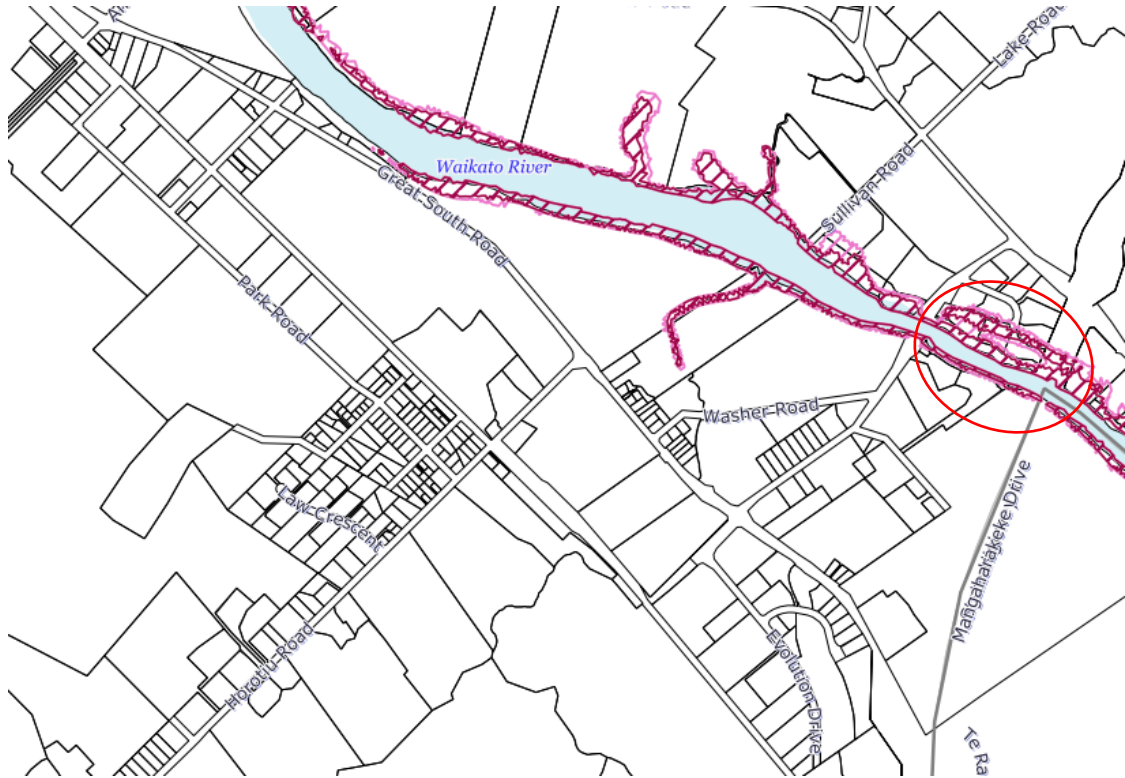
Figure 11. Horotiu supply and demand analysis

23. Horotiu does, however, provide a substantial hub for industrial development for the southern Waikato Region, including the long-standing AFFCO meat processing works site, and provision for new industrial activities within the Northgate Business Park and Ports of Auckland inland port.
24. The southern part of Horotiu is located within Hamilton City's territorial boundary. In effect, the territorial boundary bisects Horotiu, with the result that the PDP zoning physically covers the north-western parts of the settlement, whilst the Hamilton City Plan covers the south-eastern parts of Horotiu. Within the Hamilton City portion of the township is a large dairy factory and associated industrial activities. Immediately south of the bridge is an area of old gravel pits that has been the subject of extensive planning processes, with the zoning of this area recently confirmed as a residentially-based mixed-use area referred to as 'Te Awa Lakes'.
25. The Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan project identified that development of the new residential areas in Horotiu will require extensions to existing water and wastewater reticulation systems and consideration of the capacity constraints of the existing reticulation pipes. It was also recognised that since there was no wastewater pipe through the new residential area (in the vicinity of Washer Road), development of this area will depend on the prior completion of the proposed new wastewater pipeline along Horotiu Bridge Road. It is therefore anticipated that development of the Kernott Road area will be subject to a similar constraint and will need to be addressed through the Council's Infrastructure Asset Management Plans and Long Term Plan.
26. Conversely, the transport assessment undertaken as part of the Structure Plan project advised that the roading infrastructure for industrial development at Horotiu was already in place and that residential development within this settlement was of a scale that could be largely managed within the existing roading network⁵.

⁵ Ngaruawahia and Surrounds Structure Plan: Integrated Transportation Assessment, AECOM (September 2014)

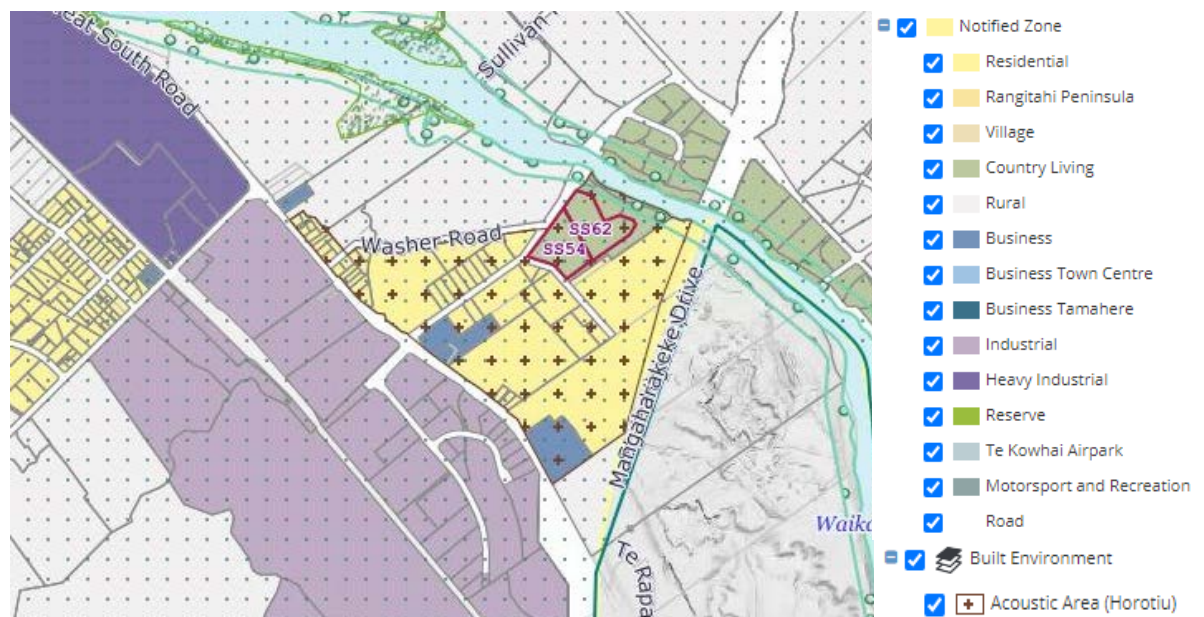
27. In terms of natural hazard risk, the only High Flood Risk Area affecting the PDP urban zone in Horotiu is in the vicinity of the Mangaharakeke Drive bridge over the Waikato River, as shown by the red circle in Figure 7 below.

Figure 7: Notified Proposed Waikato District Plan – Stage 2 (Natural Hazards)



28. In addition, it is noted that the Kernotts Road and Washer Road residential growth area is subject to a Noise Control Boundary overlay (as indicated by the brown crosses on the map below), which requires any noise-sensitive activity to achieve a specified level of noise insulation in order to minimise the risk of reverse sensitivity effects on surrounding industrial activities.

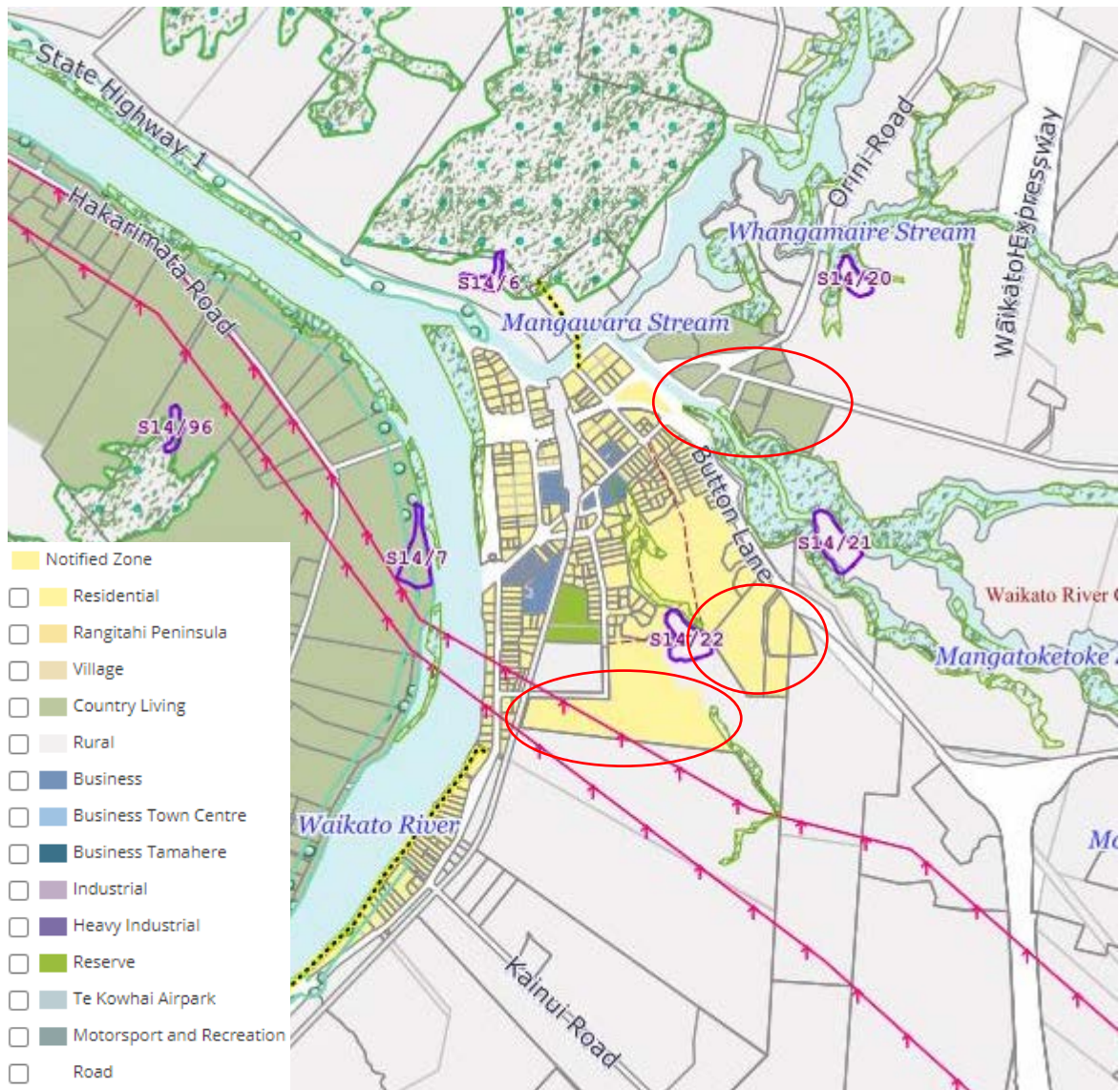
Figure 8: Notified Proposed Waikato District Plan – Horotiu (overlays)



Taupiri

29. Taupiri is also located adjacent to the Waikato River and has a population of approximately 500. It is overlooked by Taupiri Mountain (Taupiri maunga), the sacred burial ground for Māori of Waikato iwi.
30. Taupiri is zoned predominately for residential activities in the PDP, with limited amounts of Business zoning located in and around the town centre. There is a small pocket of Country Living Zone on the north-eastern side of Mangawara Stream, and the Country Living Zone that extends northwards from Ngaruawahia is also evident on the western side of the Waikato River. The NIMT travels through the centre of Taupiri, following the alignment of State Highway 1 to the north of the town, which also connects to an eastern linkage to the Waikato Expressway via Gordonton Road. Transpower's national grid transmission lines extend across the township's southern boundary. A recent commercial development has been constructed at the junction of the new Waikato Expressway and State Highway 1B.

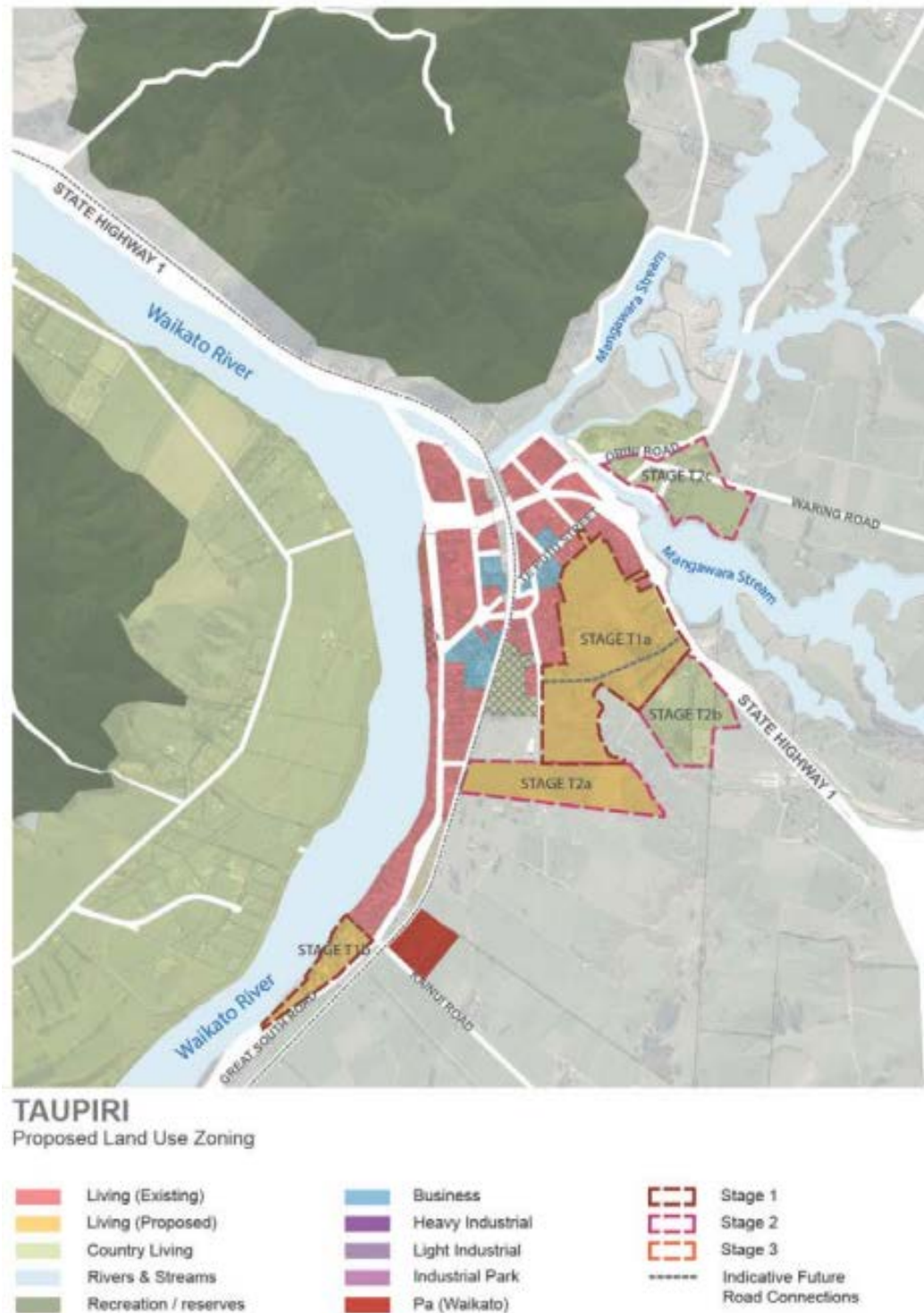
Figure 9: Notified Proposed Waikato District Plan zones – Taupiri



31. The PDP zoning pattern largely reflects that of the ODP, with the exception of extensions to the Residential Zone to the south of the township off Button Lane and at the end of Murphy Lane (below the Taupiri Rugby Club grounds), as indicated by the red circles in Figure 9 above.

There is also an extension to the Mangawara Stream Country Living Zone eastwards along Waring Road. These urban growth areas are consistent with those identified through the Structure Plan process undertaken in 2017 for Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey, as shown in map below.

Figure 10: Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)



32. Waikato 2070 identifies Taupiri as one of the towns where future residential growth is to be accommodated, with the anticipated quantum, location and timing of urban growth being

outlined in the recent 'Population, Household and Land Capacity Report (December 2020)' prepared by WDC, and as shown below. This growth projection anticipates modest growth over the next 10-30 years, with the identified urban growth areas providing sufficient capacity to cater for the expected increase in households.

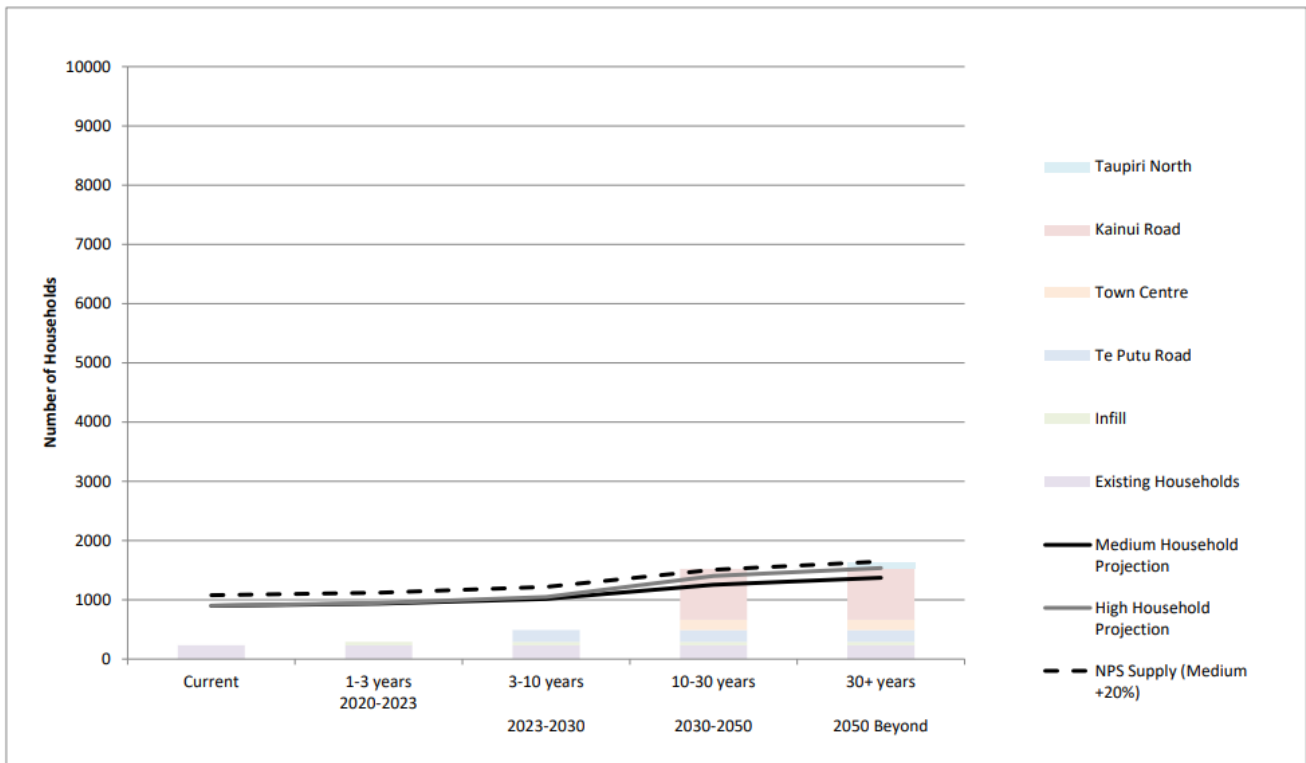
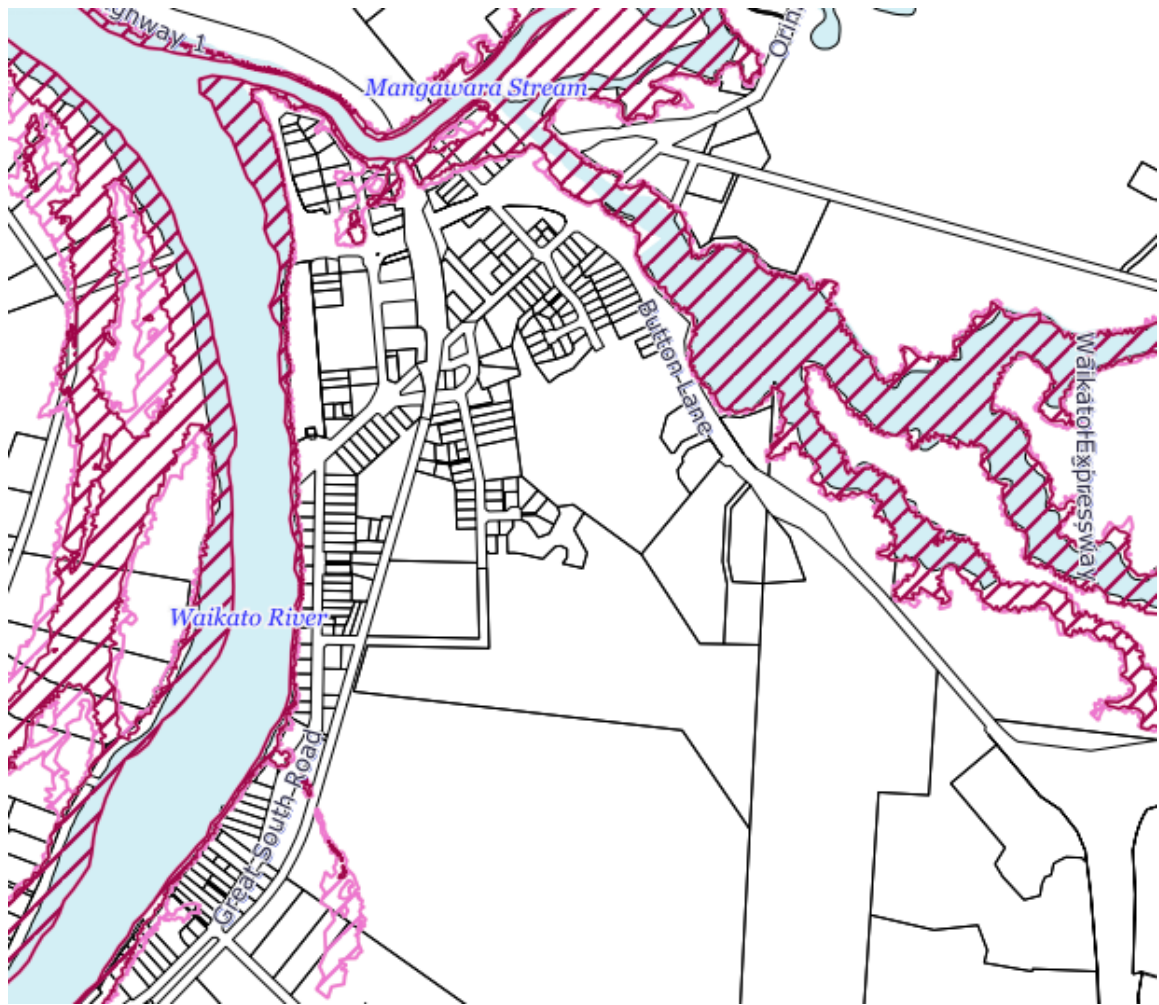


Figure. 9. Taupiri supply and demand analysis

33. The Structure Plan recognises that the development of new residential areas will require extensions to existing water and wastewater reticulation systems and consideration of the capacity constraints of the existing reticulation pipes. It is also identified that development of the new residential area between Murphy Lane and Button Lane will require at least one connecting link road across the gully and restoration work on the main gully system that enables it to serve as an important stormwater and amenity function. In addition to the discharge of stormwater, the gully is intended to be a significant natural open space area that provides for a walking trail linking to the adjacent road and footpath network. In accordance with the Council's Parks Strategy, neighbourhood level parks and playgrounds are to be developed in the new residential areas where required⁶.
34. The PDP also identifies that the gully system between Murphy Lane and Button Lane contains tracts of indigenous biodiversity worthy of protection as a Significant Natural Area (SNA) and also includes a Māori Site of Significance (see Figure 9 above). As such, these values will need to be recognised and protected as part of any future development proposal.
35. In terms of natural hazard risk, there are no High Flood Risk Areas or Flood Plain Management Areas (as proposed via Stage 2 of the PDP) identified over any of the new urban growth areas that have been zoned in the PDP (as shown in Figure 11 below).

⁶ Ngaaruwaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan (2017)

Figure 11: Notified Proposed Waikato District Plan – Stage 2 (Natural Hazards) – Taupiri



2.3 Overview of submissions

36. Aside from those submissions received relating to the overall urban growth pattern for Ngaruawahia, Horotiu and Taupiri, individual submitters are generally seeking:
 - a. The retention or modification of the notified PDP zoning for each of these townships;
 - b. Intensification of existing urban zoned land, including the introduction of a new Medium Density Residential Zone in Ngaruawahia (by Kāinga Ora-Homes and Communities);
 - c. The rezoning of rural land within or adjoining these townships for either residential, commercial or industrial purposes.
37. Due to the range of geographic locations and varied nature of relief sought by each submission, a description of each rezoning request, including locational maps, is contained in Section 4 of this report, which analyses each submission point.

2.4 Structure of this report

38. This report should be read in conjunction with the overarching s42A Framework Report prepared by Dr Mark Davey. The Framework Report provides a summary of the higher order planning documents that are relevant to the consideration of Hearing 25: Zone Extents, and can therefore be used as reference for assessing rezoning-type submissions on a per township

basis. However, it is anticipated that a more fine-grained analysis of the merits of each submission point is likely to be required in the context of the higher order framework. The Framework Report also sets out the background to the set of zones included in the PDP, the historic growth of the district, and the extent of capacity required to adequately meet the needs of a growing population in accordance with the National Policy Statement on Urban Development (NPS-UD).

39. The rezoning requests covered in this report relate to the townships of Ngaruawahia, Horotiu and Taupiri. For ease of reference, the submission points have been geographically split into the following areas:

- General – covering the whole or non-specific part of one of these townships;
- Ngaruawahia – North;
- Ngaruawahia – Central;
- Ngaruawahia – South;
- Horotiu; and
- Taupiri.

A summary of each decision requested and a list of any further submitters is contained within each of the above sections (and further grouped by subtopic, where appropriate), with a full list of submission points (in numerical order) contained in **Appendix I**. Appendix I also contains recommendations as to whether each submission point should be accepted, rejected or accepted in part. **Appendix 2** contains any recommended amendments to the PDP. **Appendix 3** contains technical engineering peer review reports addressing specific submission points, the findings of which have been considered in the analysis of individual submission points.

2.5 Procedural matters

40. As far as I am aware, there have not been any pre-hearing conferences, cl.8AA meetings or further consultation in relation to the submission points addressed in this s42A report at the time of writing.

3 Statutory framework

41. The statutory considerations that are relevant to the content of this report are largely set out in the opening legal submissions by counsel for Council (23 September 2019) and the opening planning submissions for Council (23 September 2019, paragraphs 18-32). The opening planning submissions from the Council also detail the relevant iwi management plans (paragraphs 35-40) and other relevant plans and strategies (paragraphs 41-45). The following sections identify statutory documents with particular relevance to this report. This section has also been informed by the Directions issued by the Hearings Panel on 15 March 2021 regarding the Framework Report, and the consequential adoption of criteria arising from *Colonial Vineyard Ltd v Marlborough District Council* [2014] NZEnvC 55 (incorporating recent amendments to the RMA).

3.1 National Policy Statement for Urban Development

42. The recently-gazetted National Policy Statement on Urban Development 2020 (NPS-UD) identifies Waikato District Council as a Tier I local authority, meaning that it is part of a high growth urban environment. Decisions on submissions to the PDP must give effect to the NPS-UD, the primary purpose of which is to enable sufficient feasible development capacity to meet foreseeable housing and business needs over the short, medium and long term. Such capacity is to be delivered in a manner that results in a well-functioning urban environment.

Any growth, therefore, needs to be integrated with existing urban areas and designed in a manner that creates successful and well-functioning communities, while also being integrated with the funding and delivery of the necessary network infrastructure.

43. As set out in the s42A Framework Report, there is a need for further growth areas to provide an additional capacity for 8,864 – 10,450 households in order to provide the necessary capacity over and above what is currently zoned in the ODP. Such growth will be through both intensification within already zoned urban areas, and through greenfield expansion around the edge of townships where the land meets the policy criteria for growth areas. In addition, it is noted that the Framework Report identifies the need for a minimum of 80ha of plan-enabled, infrastructure-ready and feasible industrial land capacity to provide for anticipated demand across the district.
44. As outlined previously in this report, the findings of the recently prepared ‘Population, Household and Land Capacity Report (December 2020)’ prepared by WDC show that the number of households in Ngaruawahia needs to increase from the current 2,500 to approximately 5,400 over the next 30+ years to meet the NPS-UD requirements (based on a medium growth projection plus 20% additional capacity). While some infill is anticipated to meet this demand, the majority is reliant on the continued uptake of existing urban zoned land, and new greenfield subdivisions adjoining township boundaries.
45. The supply and demand analysis for Taupiri follows a similar pattern, albeit that the scale of development is substantially smaller (in absolute numbers) than that of Ngaruawahia, with a projected increase from the current 250 households to approximately 1,700 over the next 30+ years as a contribution to meeting the district’s NPS-UD requirements. Much of the residential growth earmarked for Taupiri is anticipated to occur within the Kainui Road greenfield growth area. Taupiri has also been signalled as providing for an increase in the supply of industrial land, with a new industrial hub being identified on both sides of the Waikato Expressway in Waikato 2070. Whilst the overall quantum of growth in Taupiri is relatively modest, in percentage-terms it represents a significant increase in the size of this area, with the scale and character of Taupiri changing from that of a village to become a larger township.
46. Residential growth in Horotiu is expected to remain relatively modest, with the projected supply being likely to continue to exceed demand for the next 30+ years (being less than 1,000 households at a medium growth projection plus 20%). Conversely, Horotiu is anticipated to continue to grow as a strategic industrial node due to its accessibility to Hamilton City, Te Rapa Bypass and the NIMT. Horotiu’s contribution towards the District’s growth is therefore primarily as an industrial, rather than residential, centre.
47. In terms of meeting the long-term objectives of the NPS-UD, it is relevant to note that while a district plan is required to be reviewed every 10 years, the provision of plan-enabled urban land typically extends beyond this cycle. As such, it may be appropriate for land to be zoned for urban purposes that exceed the short-medium term demand in order to provide certainty and facilitate the integrated provision of infrastructure. However, in my view, this would only be appropriate where the zoning is otherwise consistent with the relevant planning framework and all site-specific constraints are able to be satisfactorily addressed.

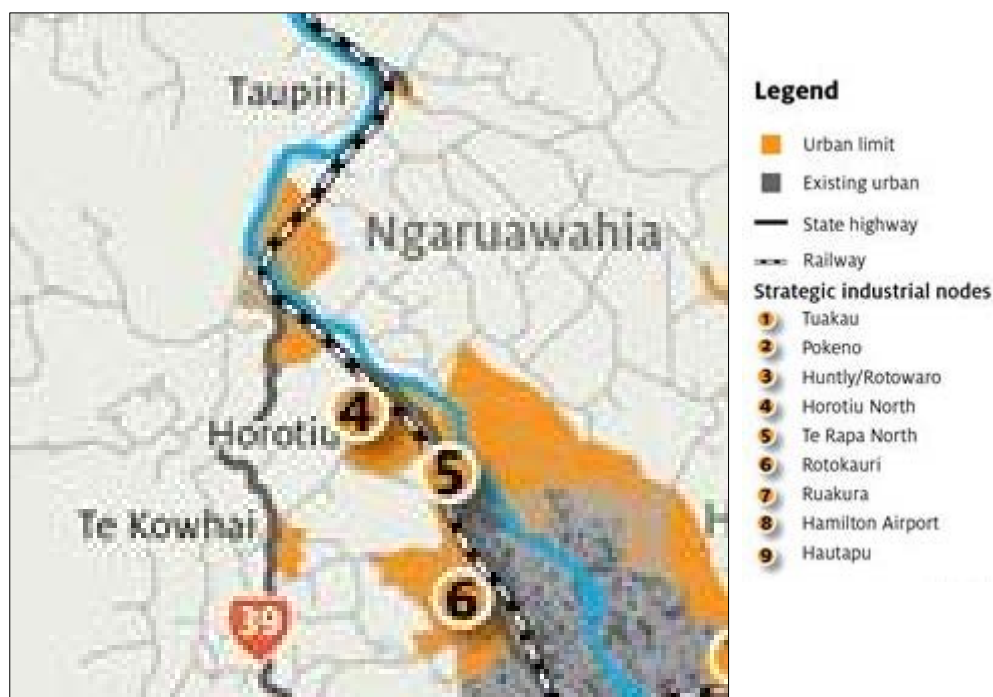
3.2 Waikato Regional Policy Statement

48. The district plan must give effect to the Waikato Regional Policy Statement (WRPS), which, in turn, is required to give effect to higher-order planning documents, including the NPS-UD. While the WRPS has not yet been updated to respond to the NPS-UD, it nonetheless provides regional direction as to how urban growth should be managed, including Objective 3.12 that outlines the anticipated outcomes for the built environment. These outcomes are focused on achieving an integrated, sustainable and planned land-use pattern that (among other things) consolidates existing urban areas, supports the efficient provision of servicing and transport

infrastructure, addresses the effects of natural hazards, responds positively to the natural environment, protects regionally significant infrastructure, minimises reverse sensitivity effects and ultimately builds viable and resilient communities.

49. The WRPS also anticipates changes to land use zoning, with Policy 6.1 seeking to ensure that urban development occurs in a planned and co-ordinated manner in line with the ‘general development principles’ and ‘principles specific to rural-residential development’ contained in Section 6A. An assessment of a proposal against these principles necessitates the provision of sufficient information to ensure a sustainable development outcome. These information requirements are listed in implementation method 6.1.8 and are set out in the s42A Framework Report⁷.
50. It is also relevant to note that other implementation methods state that territorial authorities should “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”⁸, and that “before land is rezoned for urban development, urban development planning mechanisms such as structure plans and town plans are produced, which facilitate proactive decisions about the future location of urban development and allow the information in Implementation Method 6.1.8 to be considered”⁹.
51. Notwithstanding, Policy 6.14 states that new urban development within the ‘Future Proof area’ shall occur within the Urban Limits indicated on Map 6.2, being the 2009 version. The growth areas shown in the Future Proof Strategy and associated urban limits were established to provide certainty with respect to the priority, timing, funding and provision of infrastructure. To this accord, it appears that there are additional growth areas identified at Ngaruawahia, Horotiu and Taupiri (see orange shading in Figure 12 below), which generally align (at least at a high level) with those that were subsequently identified through the Future Proof update in 2017, as discussed further below.

Figure 12: Future Proof Strategy 2009



⁷ S42A Framework Report, paragraph 100.

⁸ WRPS, Implementation method 6.1.6

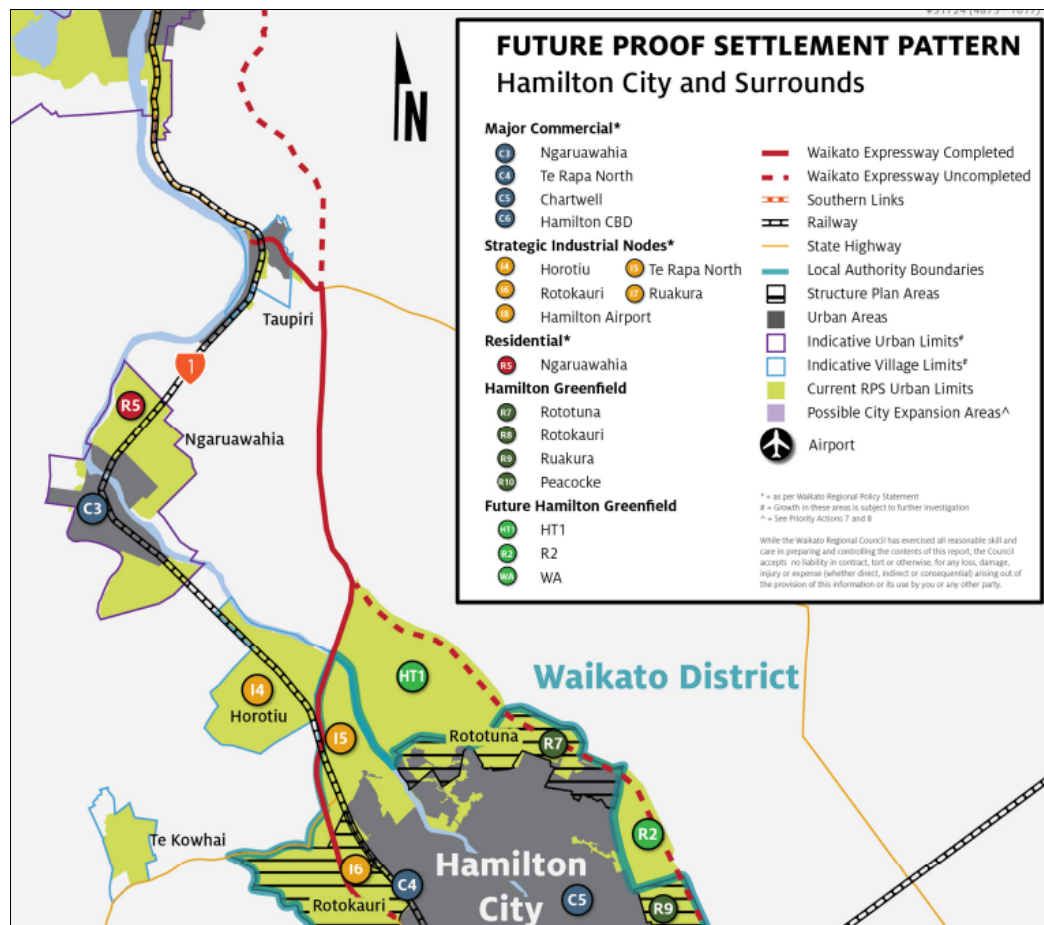
⁹ WRPS, Implementation method 6.1.7

52. On the basis that the WRPS anticipates that territorial authorities will continue to plan for urban growth through the use of growth strategies and structure plans and taking into account that the 2009 Urban Limits around Ngaruawahia, Horotiu and Taupiri do not appear markedly different to those in the updated 2017 version of Future Proof, I consider that the WRPS is a workable policy framework for assessing the overall merits of the rezoning requests contained in this report.

3.3 Future Proof 2017

53. As mentioned above, the settlement pattern envisaged for Ngaruawahia, Horotiu and Taupiri in the updated Future Proof 2017 is generally reflective of WRPS Map 6.2, except for what appears to be enlargement of the 'indicative village limit' at Taupiri, as shown on the following map.

Figure 13: Future Proof Strategy 2017



54. Future Proof 2017 identifies Ngaruawahia as a key growth management area to accommodate projected population growth within the Waikato Region, with new greenfield development expected to achieve an average of 12-15 households per hectare. The urban limit around Ngaruawahia is intended to “provide development certainty and encourage a more compact urban form while ensuring there is sufficient land and development supply for the 30 year period of the Strategy. The tool also allows councils to stage and time key areas for development resulting in more cost effective and efficient servicing and providing a clear break between urban settlements. The expectation is that land developed within an urban limit will be urban in nature, comprising a concentration of residential, commercial and/or industrial activities”¹⁰. Notwithstanding, the Strategy also advises that the urban limits are indicative and will not necessarily prevent

¹⁰ Future Proof 2017, 6.4 Urban and Village Limits, page 32

changes to these limits if further development analysis determines such changes to be appropriate.

55. Indicative village limits are also shown around Horotiu and Taupiri. While the Strategy notes that the expectation is that land within these areas may only be developed to a rural-residential density, unless reticulated wastewater is available, it is recognised that this is the case for both Horotiu and Taupiri. As such, it is anticipated that the density of development within the village limits of these townships will align with that anticipated in the Residential Zone, rather than comprising a low-density form of development which would not be an efficient use of available infrastructure.
56. Growth across the district is therefore to be focussed in and around the district's larger towns, including specific recognition of Ngaruawahia as a growth centre. Growth in and around the smaller villages is conversely to be limited. This overall approach is, however, nuanced with some growth anticipated in specifically listed villages such as Te Kowhai.

3.4 Waikato 2070

57. Waikato 2070, which was adopted by WDC in May 2020, details the future settlement pattern and indicative urban growth areas across the district. As noted in the s42A Framework Report, this is a more fine-grained strategy document than Future Proof 2017 and has been informed by a comprehensive range of technical inputs and data from within WDC, including *"flood mapping, high class soil mapping, topography/slope analysis, pedestrian catchment modelling, 3-waters capacity assessment, employment and economic demand and land analysis, land capacity modelling, household and population projection modelling, field research and analysis, technical reports including research that was carried out to inform the PWDP and previous structure plans"*¹¹.
58. Waikato 2070 anticipates that structure plans will be developed for each of the growth cells prior to the re-zoning of a site in a District Plan to provide a clear direction and plan for its development. The preparation of the structure plan is intended to involve consultation, particularly with tangata whenua, and would require consideration of the roading, cycling and pedestrian network, public transport, infrastructure and servicing costs, current land use and proposed district plan controls and appropriate technical assessments.

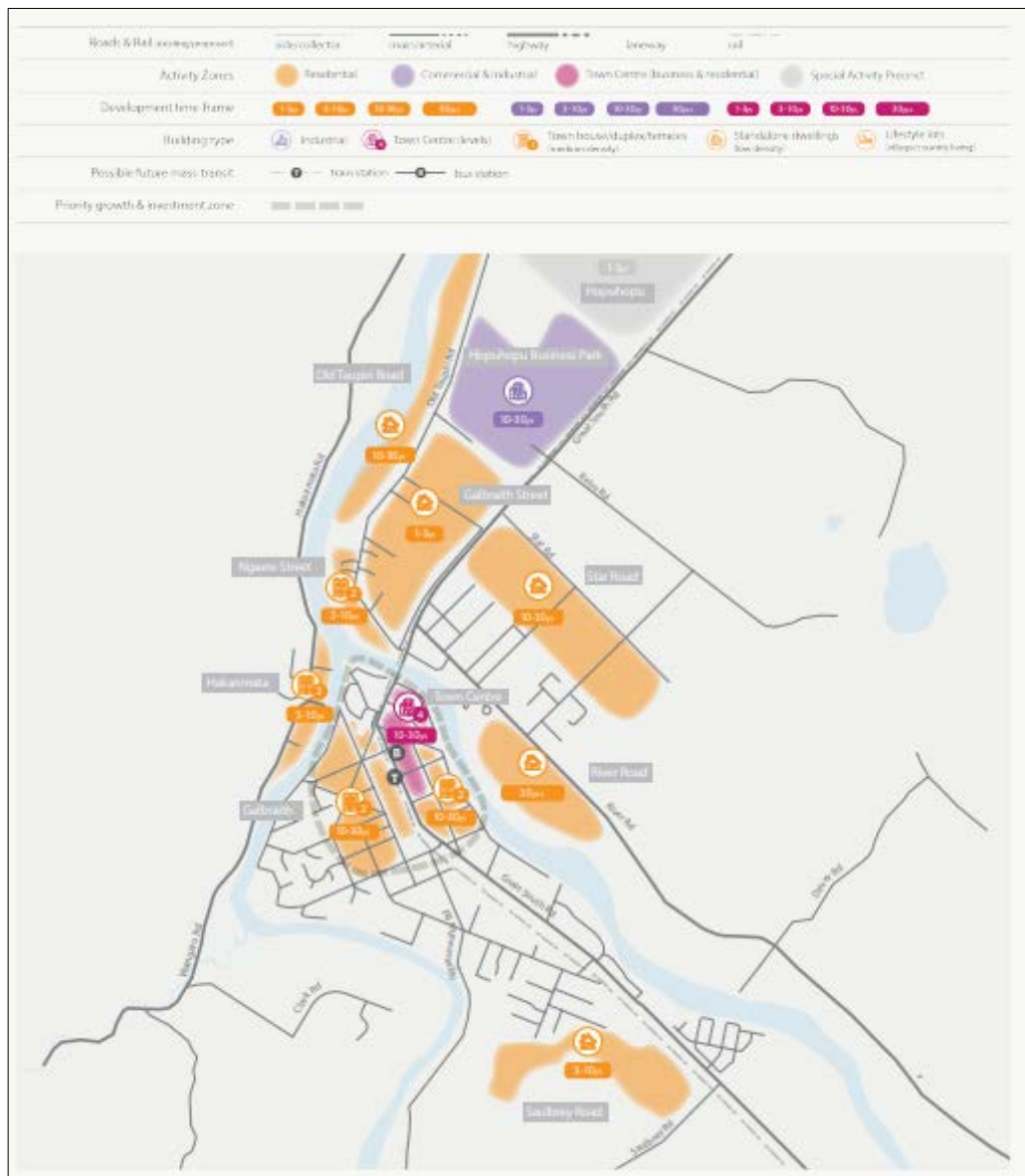
3.4.1 W2070 – Ngaruawahia

59. The anticipated location, form and timing of residential and business growth within Ngaruawahia is shown in Figure 14 below. The key development nodes comprise residential intensification in and around the Town Centre (10-30 year timeframe), as well as along the margins of the Waipa River ('Hakarimata') and Waikato River ('Ngaere Street') over a 3-10 year timeframe, in addition to new greenfield growth areas to the north and southeast (with timeframes ranging from 1-3 years, 3-10 years and up to 10-30 years).
60. The residential growth areas are reflected in the recent supply and demand analysis¹² (see paragraph 16 of this report), which indicates how the projected population growth is to be accommodated to meet the NPS-UD requirements.

¹¹ S42A Framework Report, paragraph 125

¹² Population, Household and Land Capacity Report (December 2020)', prepared by WDC

Figure 14: Waikato 2070 - Ngaruawahia

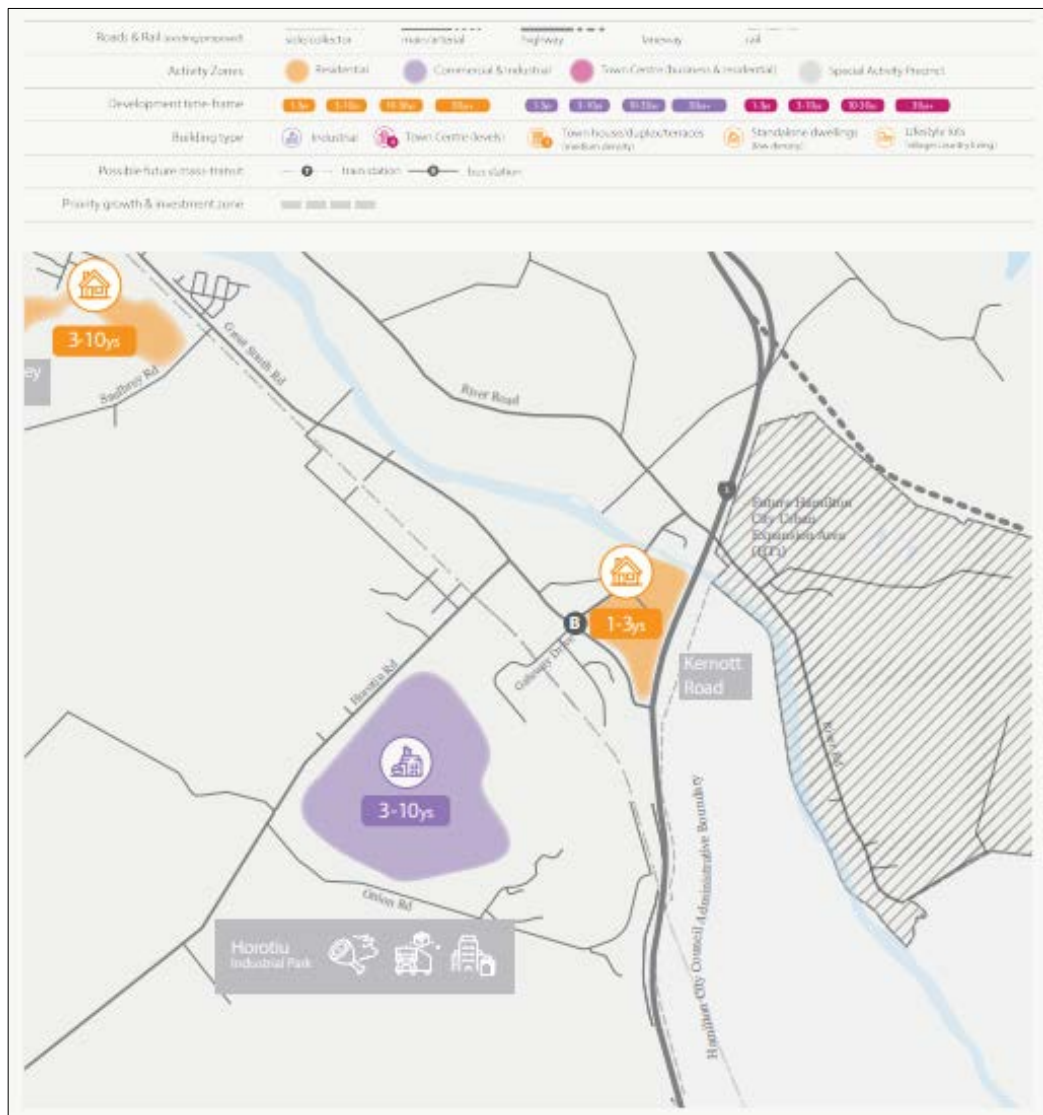


3.4.2 W2070 – Horotiu

61. Similarly, the anticipated location, form and timing of residential and business growth within Horotiu is shown in Figure 15 below. The key development nodes comprise the Kernott Road greenfield residential area (1-3 year timeframe) and the extension of the Horotiu Industrial Park towards Onion Road over a 3-10 year timeframe.
62. The residential growth areas are reflected in the supply and demand analysis¹³ (see paragraph 22 of this report), which indicates how the projected population growth is to be accommodated to meet the NPS-UD requirements.

¹³ Population, Household and Land Capacity Report (December 2020)', prepared by WDC

Figure 15: Waikato 2070 - Horotiu



3.4.3 W2070 – Taupiri

63. The anticipated settlement pattern in Taupiri, including the location of a new industrial hub, is shown in Figure 16 overleaf. The key development nodes comprise a small amount of residential intensification around the Town Centre (30 years + timeframe), a substantial extension to the residential zoning to the south of the existing urban area (ranging from 3-10 years to 10-30 year timeframes) and 'Taupiri West' and 'Taupiri East' industrial clusters on either side of the Waikato Expressway (with 3-10 years and 10-30 year timeframes).
64. The residential growth areas are reflected in the supply and demand analysis¹⁴ (see paragraph 32 of this report), which indicates how the projected population growth is to be accommodated to meet the NPS-UD requirements.

¹⁴ Population, Household and Land Capacity Report (December 2020), prepared by WDC



- ic directions relating to
P. These provisions are
RPS and NPS-UD with
g integrated land use and
urban environments, with
55). In particular, these
strict with Future Proof
through the development
y consultation process.
vide further guidance in
extent, Policy 4.1.15 –

- protects existing intensive farming and industrial activities from reverse sensitivity effects, while these activities continue to exist;
- protects the amenity of those residential areas that adjoin future business expansion areas;
- includes infill and brownfield development; and
- contains a network of neighbourhood centres, roads, parks, pedestrian and cycle networks that are in accordance with the Ngaruawahia section of the 'Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan'.

68. Horotiu Policy 4.1.16 seeks to ensure that:

- future residential areas are connected to the existing village and do not impact on the existing local road network;
- reverse sensitivity effects on strategic transport infrastructure and the strategic industrial node are avoided or minimised; and
- roads, parks, pedestrian and cycle networks are developed in accordance with the Horotiu section of the 'Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan'.

69. Taupiri Policy 4.1.14 seeks to ensure that the village is developed in a way that:

- recognises the changes that may arise from the completion of the Waikato Expressway, including increased demand for housing;
- provides for future development to the south of the existing village;
- includes infill and brownfield development; and
- roads, parks, pedestrian and cycle networks are developed in accordance with the Taupiri section of the 'Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan'.

70. While I acknowledge that these provisions remain subject to change through the District Plan Review process, they are generally reflective of the outcomes derived from the 'Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan' process, including the supporting technical assessments, and updated development nodes anticipated by Waikato 2070. Notwithstanding, any proposal to change land use zoning will need to be supported by sufficient information to ensure a sustainable development outcome is achieved, as outlined in Policy 6.1 of the WRPS and confirmed by the Hearing Commissioners' Minute on the Hearings for Rezoning Requests (dated 12 May 2020).

4 General

4.1 Submissions

71. Three general submissions were received in relation to the proposed zoning of land around Ngaruawahia, Horotiu and/or Taupiri and therefore it is appropriate that these are addressed in the first instance.

Submission point	Submitter	Decision requested
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535.90	Lance Vervoort for Hamilton City Council	Retain the notified extent of residential growth at Ngaruawahia, provided that no further residential growth occurs along former State Highway 1.
FSI269.41	Housing New Zealand Corporation	Oppose
FSI316.49	Alstra (2012) Limited	Support
FSI388.719	Mercury NZ Limited for Mercury E	Oppose
606.9	Bill Wasley for Future Proof Implementation Committee	Amend the Proposed District Plan provisions and maps to provide for the outcomes identified in the Auckland-Hamilton Corridor Plan, the Future Proof Strategy Phase 2 Update and Waikato District Council's local area blueprints.
FSI183.5	Noel Gordon Smith	Support
FSI224.5	Ambury Properties Ltd	Support
FSI313.8	Perry Group Limited	Support
FSI182.10	Newstead Country Preschool	Support
FSI191.15	Shand Properties	Support
FSI202.18	New Zealand Transport Agency	Support
FSI281.37	Pokeno Village Holdings Limited	Support
742.18	Mike Wood for New Zealand Transport Agency	Defer or withdraw the live zoning from the planning maps or defer until an integrated land use and infrastructure plan is completed that provides for coordinated sequencing and staging of infrastructure for the 'live' rezoned area outside of the Ngaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plans; AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI269.58	Housing New Zealand Corporation	Oppose
FSI273.83	Auckland Transport	Support
FSI287.36	Blue Wallace Surveyors Ltd	Oppose
FSI316.46	Alstra (2012) Limited	Oppose
FSI108.135	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support
FSI139.121	Turangawaewae Trust Board	Support
FSI176.254	Watercare Services Ltd	Support
FSI308.119	The Surveying Company	Oppose

FS1387.848	Mercury NZ Limited for Mercury D	Oppose
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4.2 Analysis

72. Hamilton City Council (HCC) [535.90] provide conditional support to the notified zones at Ngaruawahia, provided that no further growth occurred along the former State Highway. In the planning evidence of Ms Laura Galt on behalf of HCC, Ms Galt advises that HCC supports the s42A Framework Report recommendation that Rural Residential zones are not suitable to be used as transitional zones to future higher urban densities, which is consistent with the policy direction in the WRPS. On the basis that no additional rural residential type zones are recommended in response to submission points addressed in this report, I recommend that this submission point be accepted.
73. The Future Proof Implementation Committee [606.9] requests that the PDP maps be amended to provide for the outcomes identified in the Auckland-Hamilton Corridor Plan, the Future Proof Strategy Phase 2 Update and WDC's local area blueprints.
74. The Auckland-Hamilton (H2A) Corridor Plan & Implementation Programme 2020 updates the 2018 H2A Plan and is now being implemented by the Future Proof partnership. Having reviewed the Metropolitan Spatial Plan contained in H2A 2020, it appears that the indicative intensification area at Ngaruawahia and the location of future urban areas around Ngaruawahia and Horotiu is generally consistent with Waikato 2070, except in relation to Taupiri where no additional growth is shown. Notwithstanding, one of the key initiatives in H2A 2020 is the 'priority development area for the northern corridor', which is to involve precinct planning to determine transit-oriented development opportunities, urban structure layout and transport linkages between Ngaruawahia, Hopuhopu and Taupiri. Any spatial planning amendments arising from this initiative or as a result of a new revision of Future Proof will need to be considered at that time and are therefore outcomes that are unable to be incorporated into the current District Plan Review process. I therefore recommend that this submission point be rejected.
75. New Zealand Transport Agency [742.18] sought to withdraw the 'live' zoning of any urban area outside of the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan' area or defer such zoning until an integrated land use and infrastructure plan is completed. The planning evidence of Mr Michael Wood for Waka Kotahi subsequently advises¹⁵ that there are a number of rezoning requests that Waka Kotahi no longer opposes based on the further information provided on transport matters and/or the rezoning is broadly consistent with the WRPS and Future Proof settlement pattern. Conversely, Mr Wood also confirms that Waka Kotahi continues to oppose those rezoning requests where insufficient technical information (or no information) has been provided to support the request; and/or the proposal represents a clear departure from the WRPS and Future Proof settlement pattern. On the basis that Waka Kotahi appear to have narrowed the scope of their submission to those rezoning requests set out in Mr Wood's evidence, I recommend that this submission point be accepted in part, insofar as it relates to those submission points addressed later in this report.

4.3 Recommendations

76. For the reasons above, I recommend that the Hearings Panel:

(a) **Accept** submission point by Hamilton City Council [535.90]

¹⁵ Evidence of Mr Michael Wood, paragraph 4.1

- (b) **Reject** submission point by Future Proof Implementation Committee [606.9]
- (c) **Accept in part** submission points by New Zealand Transport Agency [742.18] insofar as it relates to those submission points addressed later in this report.

4.4 Recommended amendments

77. Nil.

4.5 Section 32AA evaluation

78. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

5 Ngaruawahia – North

5.1 Submissions

79. Submission points relating to the land within the northern extent of Ngaruawahia seek:
- a. the retention of, or extension to, the notified Residential Zone;
 - b. rezoning from Country Living or Rural to Village Zone;
 - c. extension of the Country Living Zone;
 - d. rezoning of Residential zoned land to Rural in the absence of reverse sensitivity provisions; and
 - e. rezoning from Rural to Industrial Zone.
80. The submission points are listed in the following table in numerical order. However, the analysis of these points groups the submissions into the above topic areas.

Submission point	Submitter	Decision requested
64.1	Gulab Bilimoria for Bilimoria Consulting Ltd	Amend the zoning of the property at 19 Hakarimata Road, Ngaruawahia from Rural Zone to retain the existing Light Industrial Zoning.
FS1027.1	Peter Ayson on behalf of Ngaruawahia Action Group Incorporated	Oppose
FS1386.49	Mercury NZ Limited for Mercury C	Oppose
121.1	Mark Fendall	Amend the zoning of the properties 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone.
FS1379.25	Hamilton City Council	Oppose
FS1386.102	Mercury NZ Limited for Mercury C	Oppose
122.1	Mark Fendall	Amend the zoning of the properties at 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone.

FS1379.26	Hamilton City Council	Oppose
FS1386.103	Mercury NZ Limited for Mercury C	Oppose
375.1	Paul Ivory	Amend the zoning of the property at 93 Hakarimata Road, Ngaruawahia from being a split zone of Rural Zone and Country Living Zone to being only Country Living Zone.
FS1388.10	Mercury NZ Limited for Mercury C	Oppose
409.2	Riki Manarangi	Amend the zoning of the properties located from 22 Hakarimata Road to 963 Hakarimata Road (i.e. from the residential portion of Hakiramata Road to Riverview Road) from Country Living Zone to Village Zone.
FS1379.125	Hamilton City Council	Oppose
FS1388.155	Mercury NZ Limited for Mercury E	Oppose
608.1	Michael Draper	Retain the extent of the Proposed Residential zoning (with particular reference to northern Ngaruawahia).
FS1387.3	Mercury NZ Limited for Mercury D	Oppose
FS1287.26	Blue Wallace Surveyors Ltd	Support
FS1316.50	Alstra (2012) Limited	Support
665.1	Paul Liddle	Retain the Residential Zone as notified on the properties within the vicinity of Starr Road, Ngaruawahia.
FS1317.6	Quinn Haven Investments Limited and M & S Draper	Support
FS1287.27	Blue Wallace Surveyors Ltd	Support
FS1316.51	Alstra (2012) Limited	Support
FS1387.128	Mercury NZ Limited for Mercury D	Oppose
670.1	Property owners on Galbraith St, Jacobs Lane and Old Taupiri Road	Amend the zoning of the following properties from Country Living Zone to Village Zone: 82A Old Taupiri Road, Ngaruawahia 84 Old Taupiri Road, Ngaruawahia 93 Old Taupiri Road, Ngaruawahia 101 Old Taupiri Road, Ngaruawahia 104 Old Taupiri Road, Ngaruawahia 106 Old Taupiri Road, Ngaruawahia 109 Old Taupiri Road, Ngaruawahia 111 Old Taupiri Road, Ngaruawahia 116 A-C Old Taupiri Road, Ngaruawahia

		<p>127 Old Taupiri Road, Ngaruawahia 138 Old Taupiri Road, Ngaruawahia 145 Old Taupiri Road, Ngaruawahia 146 Old Taupiri Road, Ngaruawahia 152 Old Taupiri Road, Ngaruawahia 161 Old Taupiri Road, Ngaruawahia 176 Old Taupiri Road, Ngaruawahia 181 Old Taupiri Road, Ngaruawahia 182 Old Taupiri Road, Ngaruawahia 192 Old Taupiri Road, Ngaruawahia 217B Old Taupiri Road, Ngaruawahia 247 Old Taupiri Road, Ngaruawahia 271 Old Taupiri Road, Ngaruawahia 43A Galbraith Street, Ngaruawahia 57 Galbraith Street, Ngaruawahia 65 Galbraith Street, Ngaruawahia 10 Jacobs Lane, Ngaruawahia 15 Jacobs Lane, Ngaruawahia 18 Jacobs Lane, Ngaruawahia 21 Jacobs Lane, Ngaruawahia 24 Jacobs Lane, Ngaruawahia 28 Jacobs Lane, Ngaruawahia 34 Jacobs Lane, Ngaruawahia 37 Jacobs Lane, Ngaruawahia AND Amend the zoning of the property at 232 Old Taupiri Road, Ngaruawahia from Rural Zone to Village Zone (refer to map 2 included in the submission); AND Amend the zoning of the properties in the immediate locality of the specific properties listed above to Village Zone (see Map 1 included in the submission).</p>
FS1094.1	Dorothy Derecourt and David Mckeown	Support
FS1096.1	Ian Jospeh Robson and Sandra Joan Robson	Support
FS1099.1	Gregory Philip and Barabara Wiechern	Support
FS1106.3	Greg and Shirley Weller	Support
FS1382.1	Martin Coenen	Support
FS1379.228	Hamilton City Council	Oppose
FS1387.132	Mercury NZ Limited for Mercury D	Oppose

674.I	Bruce Stirling	Retain the Residential zoning as notified, with specific reference to Ngaruawahia (see maps attached to the submission).
FS1287.28	Blue Wallace Surveyors Ltd	Support
FS1316.52	Alstra (2012) Limited	Support
FS1387.137	Mercury NZ Limited for Mercury D	Oppose
693.I0	Alstra (2012) Limited	<p>Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 38B River Road, Ngaruawahia (Property 1009876) from sensitive activities (which includes residential development);</p> <p>AND</p> <p>Retain the proposed Residential Zone as notified for the property at 38B River Road, Ngaruawahia (Property 1009876) if there are reverse sensitivity provisions protecting the existing intensive farming activities (including residential development);</p> <p>OR</p> <p>Amend the zoning of the property at 38B River Road, Ngaruawahia (Property 1009876) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted;</p> <p>AND</p> <p>Any consequential or alternative relief to address the matters raised in the submission.</p>
693.II	Alstra (2012) Limited	<p>Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 5463B Great South Road, Ngaruawahia (Property 1005128) from sensitive activities (which includes residential development);</p> <p>AND</p> <p>Retain the proposed Residential Zone for the property at 5463B Great South Road, Ngaruawahia (Property 1005128) if there are reverse sensitivity provisions protecting the existing intensive farming activities from sensitive activities (including residential development);</p> <p>OR</p> <p>Amend the zoning of the property at 5463B Great South Road, Ngaruawahia (Property 1005128) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted;</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>
FS1387.376	Mercury NZ Limited for Mercury D	Oppose

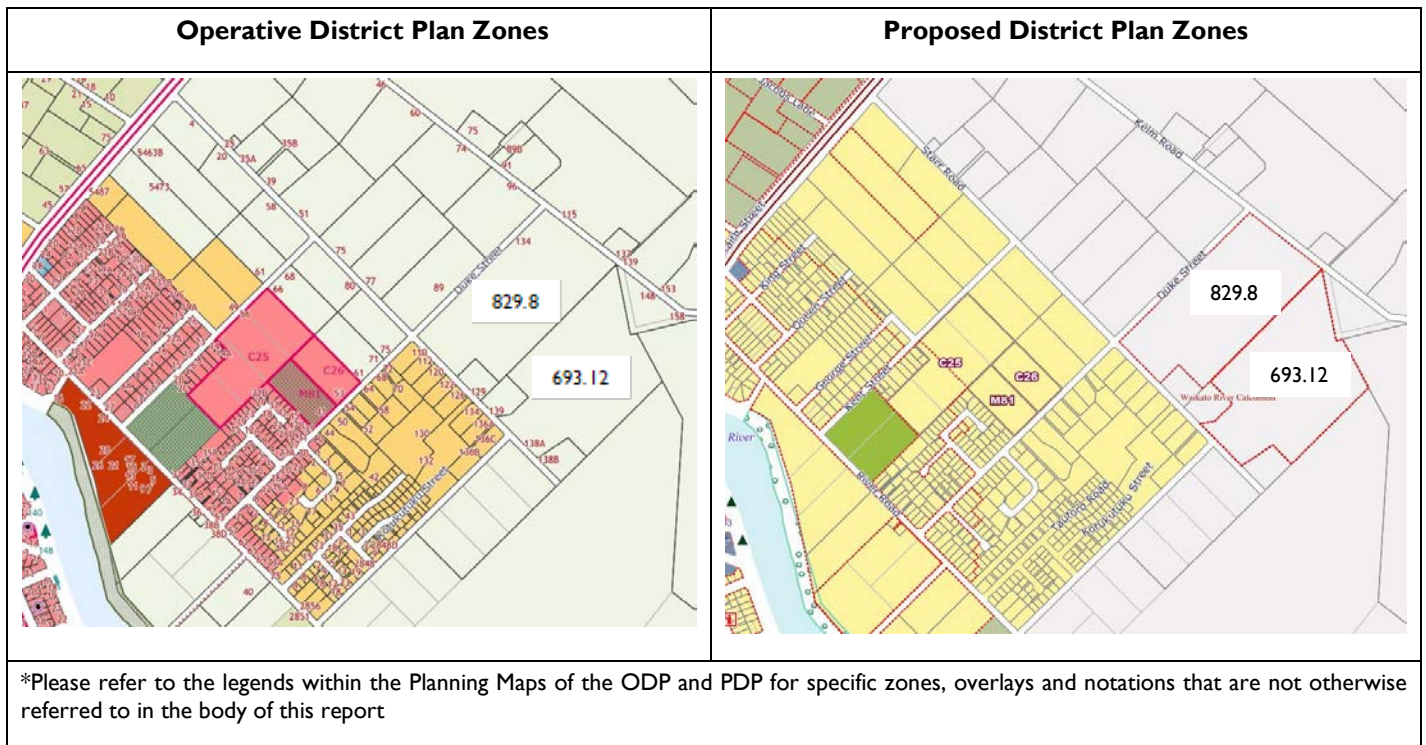
693.12	Alstra (2012) Limited	Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Residential Zone; OR Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Country Living Zone.
FS1317.4	Quinn Haven Investments Limited and M & S Draper	Oppose
FS1379.254	Hamilton City Council	Oppose
FS1387.377	Mercury NZ Limited for Mercury D	Oppose
829.4	Whenua Holdings Waikato Limited	Amend zoning of the properties at 42 and 76C Fox Road, and 5167C Great South Road, Ngaruawahia from Rural Zone to Residential Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.
FS1108.155	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1139.140	Turangawaewae Trust Board	Oppose
FS1202.127	New Zealand Transport Agency	Oppose
FS1277.123	Waikato Regional Council	Oppose
FS1379.341	Hamilton City Council	Oppose
FS1387.1335	Mercury NZ Limited for Mercury D	Oppose
829.5	Whenua Holdings Waikato Limited	Amend the zoning of the property at Wallbank Road, Ngaruawahia (Property number 1005161) from Rural Zone to Industrial Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.
FS1094.3	Dorothy Derecourt and David Mckeown	Oppose
FS1096.3	Ian Joseph Robson and Sandra Joan Robson	Oppose
FS1100.1	Margaret Lindsay Mitchell	Oppose
FS1101.2	Christine McNeill	Oppose
FS1102.1	Eric and Vickie Finlay	Oppose

FSI103.2	Kevin Desmond Mattson	Oppose
FSI104.2	Greg and Natalie Kelly	Oppose
FSI106.2	Greg and Shirley Weller	Oppose
FSI202.128	New Zealand Transport Agency	Oppose
FSI277.124	Waikato Regional Council	Oppose
FSI387.1336	Mercury NZ Limited for Mercury D	Oppose
829.8	Whenua Holdings Waikato Limited	Amend zoning of the property at 134 Duke Street, Ngaruawahia from Rural Zone to Residential Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.
FSI202.106	New Zealand Transport Agency	Oppose
FSI277.125	Waikato Regional Council	Oppose
FSI379.342	Hamilton City Council	Oppose
FSI387.1339	Mercury NZ Limited for Mercury D	Oppose

5.2 Analysis

5.2.1 Retention of, or extension to, the notified Residential Zone

81. Michael Draper [608.1], Paul Liddle [665.1] and Bruce Stirling [674.1] seek to retain the Residential zoning in northern Ngaruawahia as notified i.e the new Residential Zone located between the edge of the existing township northeast to Starr Road, and the area between the existing township southwest to the Waikato River. On the basis that no changes to the Residential Zone in this area are recommended, I consider that these submission points should be accepted.
82. Alstra (2012) Limited [693.12] seek to rezone the property at 138A Starr Road from Rural to either Residential or Country Living. Similarly, Whenua Holdings Ltd [829.8] seek to rezone the adjoining site at 134 Duke Street from Rural to Residential, as shown in the map below. No submitter evidence has been provided in support of these submission points.



83. Both of these properties are outside the residential growth areas identified in the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan' and Waikato 2070. However, they appear to be within the indicative urban limit of Future Proof 2017. The submitters have not provided any evidence to demonstrate how these blocks could be developed or serviced by network infrastructure, neither is there any assessment of the potential impact on the surrounding environment, including adjoining rural land or the local roading network.
84. While this land may be suitable for urban growth at some time in the future, as envisaged by Future Proof 2017, in my view, it should be planned and developed in a more comprehensive manner, which would include all of the land between the submitters' properties, Kelm Road, Starr Road and Great South Road to the northwest. The rezoning of an isolated pocket of land at the end of Starr Road would create a poor urban form outcome and potentially create reverse sensitivity effects on adjoining rural activities, which would border the sites on three sides. It is also recognised that based on current population projections, and the location and timing of development indicated in Waikato 2070, this land is not currently required to accommodate additional households to satisfy NPS-UD requirements.
85. In addition, I note that while Alstra (2012) Limited [693.12] have sought to rezone the property at 138A Starr Road to Country Living, as an alternative to Residential, this form of development would be an inefficient use of land that may have the potential of being rezoned for residential purposes in the future. It would also constitute a 'spot zone' of low-density development in a location that does not adjoin an existing Country Living Zone (albeit that the Residentially Zoned properties on the south side of Starr Road have been developed to densities more comparable to Country Living Zone outcomes).
86. Notwithstanding, there is the potential to rezone the sites to Future Urban Zone (FUZ). As noted in Mr Cleese's s42A 'Future Urban Zone and Residential Medium Density Zone Report', where potential growth areas meet wider policy criteria for future urbanisation but are not required to provide capacity in the short term, no structure plan/ details are in place and the growth area is held across a number of landowners, and/ or there is no certainty regarding

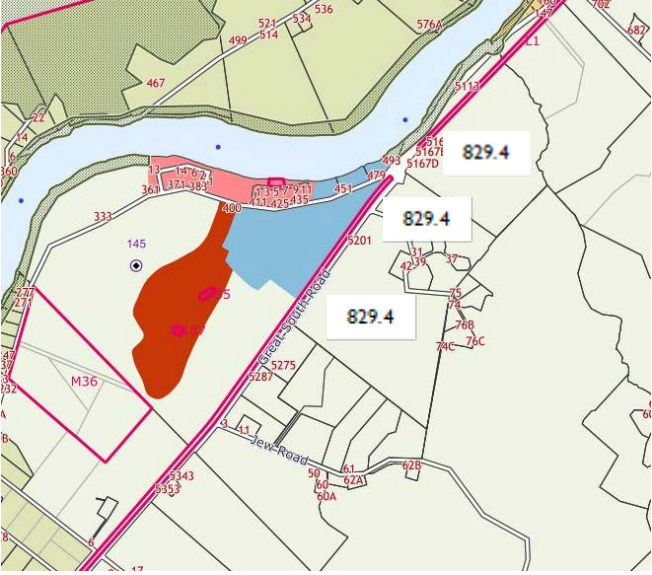
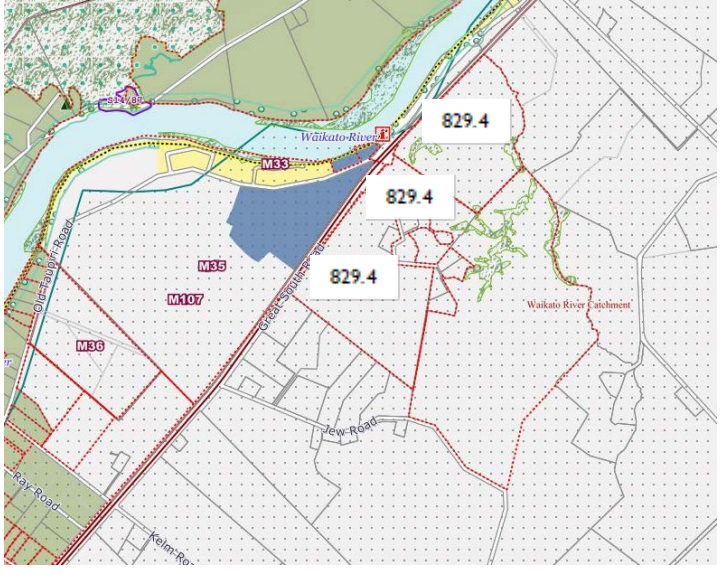
the provision of trunk infrastructure, then the FUZ framework is available as a zoning tool. However, having regard to the concerns outlined above, primarily relating to urban form and the absence of any fine-grain level of analysis regarding the overall suitability of the sites, I consider that while a FUZ could be applied to these properties, it would be preferable if this zoning was applied to the whole of the Kelm Road/Starr Road growth area identified in Future Proof 2017 to ensure that the future development of this area occurred in a planned and integrated manner across multiple landowners.

87. Overall, I do not consider that there is sufficient information available to ensure that the current rezoning proposals are consistent with Policy 6.1 of the WRPS and will achieve the outcomes anticipated by the development principles contained in Section 6A of the WRPS. As such, I recommend that these submission points be rejected.
88. Whenua Holdings Ltd [829.4] have also sought to rezone the properties at 42 and 76C Fox Road and 5167C Great South Road from Rural to Residential, as shown in the map below (contained in submission). No submitter evidence has been provided in support of this submission point.



Map 2: Proposed Fox Road and Great South Road Properties

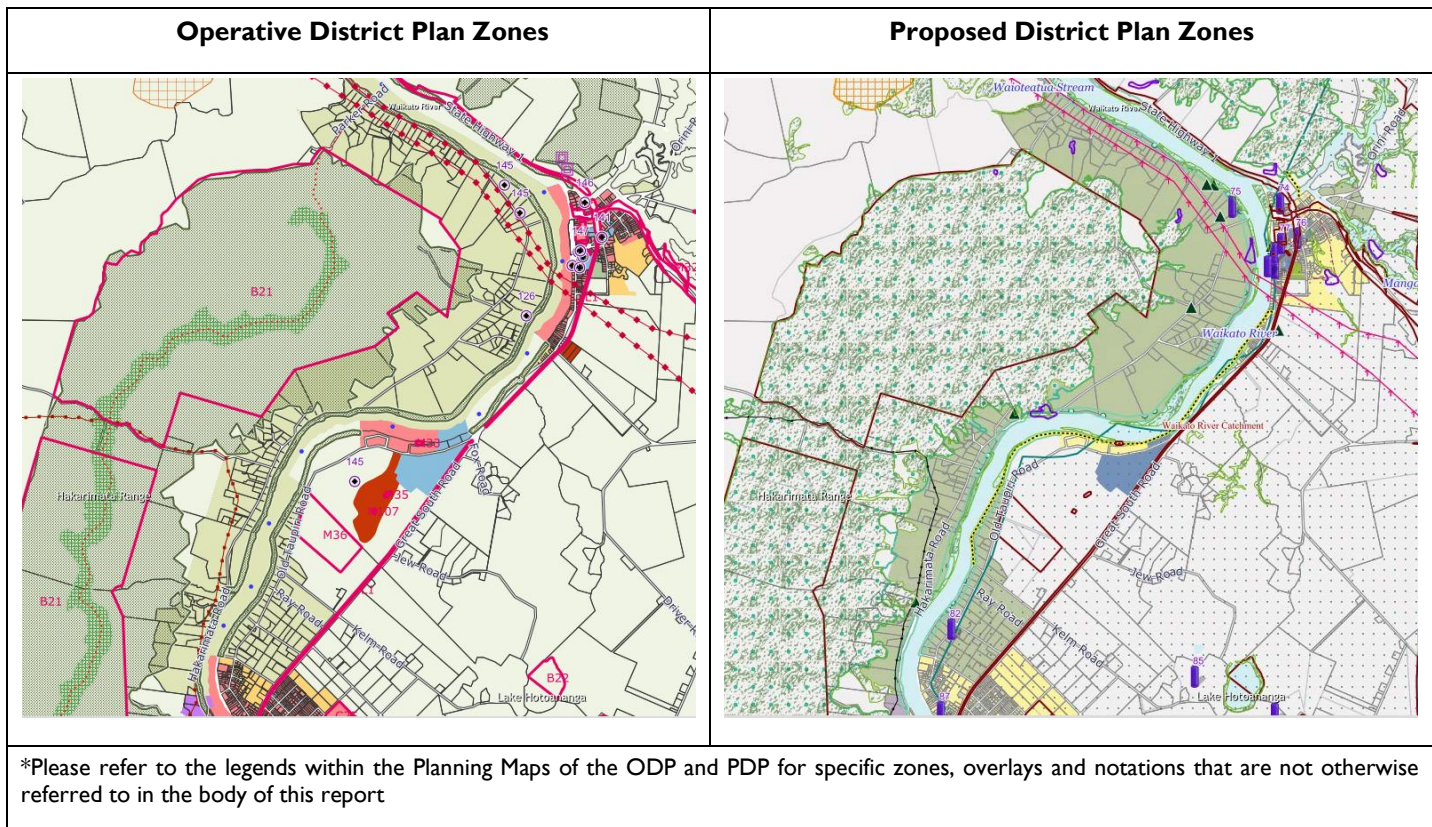
89. The zoning of these properties in the ODP and PDP, is shown below.

Operative District Plan Zones	Proposed District Plan Zones
	
<p>*Please refer to the legends within the Planning Maps of the ODP and PDP for specific zones, overlays and notations that are not otherwise referred to in the body of this report</p>	

90. The properties at 42 and 76C Fox Road and 5167C Great South Road are located between Ngaruawahia and Taupiri and sit outside the residential growth areas identified in the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan', Waikato 2070 and Future Proof 2017. Again, the submitter has not provided any evidence to demonstrate how these blocks could be developed or serviced by network infrastructure, neither is there any assessment of the potential impact on the surrounding environment, including significant natural areas located both within and adjoining the sites, the interface with adjoining rural land or the local roading network.
91. It is also recognised that the settlement pattern developed as part of the strategic planning processes for 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan', Waikato 2070, Future Proof 2017, and WRPS Map 6C clearly seek to retain a clear distinction between the townships of Ngaruawahia and Taupiri. In saying this, I recognise that the western side of Great South Road is subject to a proposal by Waikato-Tainui to create a 'Special Purpose Zone – Hopuhopu' (submission #262, which is subject to a separate s42A Report), which would provide for a range of urban activities. Should this submission be accepted, the rezoning of the properties at 42 and 76C Fox Road and 5167C Great South Road for residential purposes would exacerbate the extent of ribbon development between the two townships and fail to maintain an urban/rural contrast, at least on the eastern side of Great South Road. There is also insufficient evidence available to demonstrate how the proposed rezoning would achieve the development principles contained in Section 6A of the WRPS.
92. For these reasons, and considering that this land is not currently identified as being required to accommodate additional households to satisfy NPS-UD requirements in Waikato 2070, I recommend that this submission point be rejected.

5.2.2 Rezoning from Country Living or Rural to Village Zone

93. Mark Fendall [121.1 & 122.1], Riki Manarangi [409.2] and the property owners on Galbrieth Street, Jacobs Lane and Old Taupiri Road [670.1] seek to rezone a number of properties on Hakarimata Road, Old Taupiri Road, Galbraith Street and Jacobs Lane from Country Living to Village Zone. In addition, submission point 670.1 seeks to rezone 232 Old Taupiri Road from Rural to Village Zone. The extent of the notified Country Living Zone along Hakarimata Road is shown in the map below (shaded light green), however the specific submission points are discussed in detail in the following analysis.
94. No submitter evidence has been provided in support of these submission points.

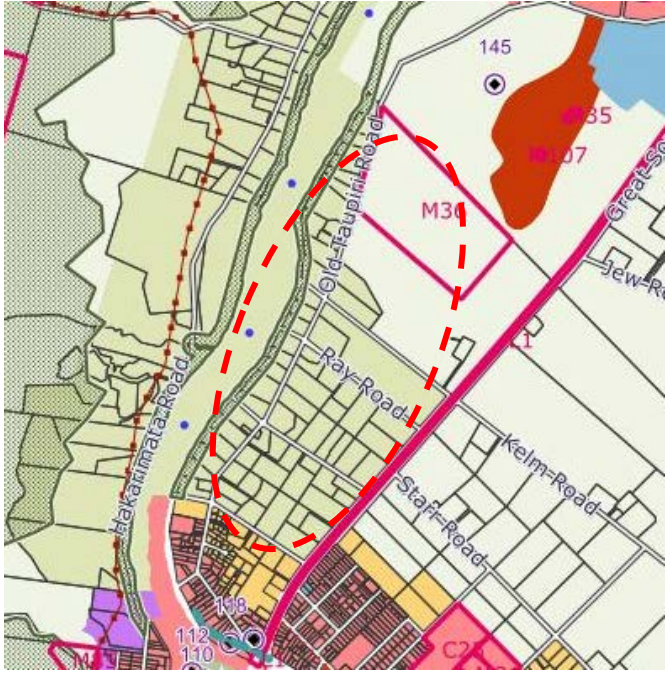
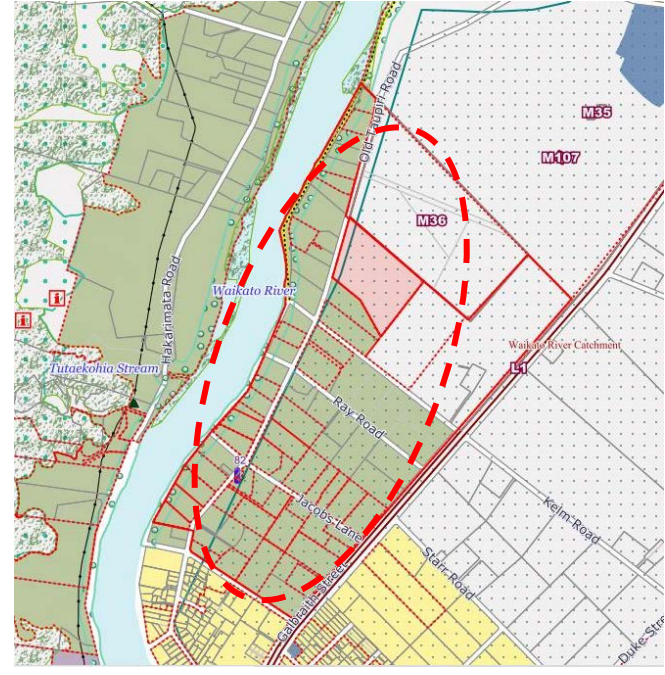


95. Turning to the Hakarimata Road Country Living Zone area in the first instance, it is noted that the scope of amendment sought would include almost the entire extent of this zone on the western side of the Waikato River, extending from Ngaruawahia Township up to Riverview Road beyond the extent of Taupiri Village. While the Country Living Zone provides for a residential density of 1 dwelling per 5,000m², the current level of development in this locality is low with only small clusters being developed at this density (e.g. the Riverside Way subdivision). Rezoning this area to Village Zone would increase the potential residential density to 3,000m² (unserved).
96. The policy framework for the Country Living Zone is contained within Chapter 5: Rural Environment, and the policies seek to maintain a low-density residential form of development that maintains an open space rural character, while recognising the absence of reticulated wastewater services and lower levels of other infrastructure¹⁶. Conversely, the Village Zone policy framework is contained in Chapter 4: Urban Environment, with this zoning being applied to smaller existing settlements across the district, and two larger growth areas of Te Kowhai

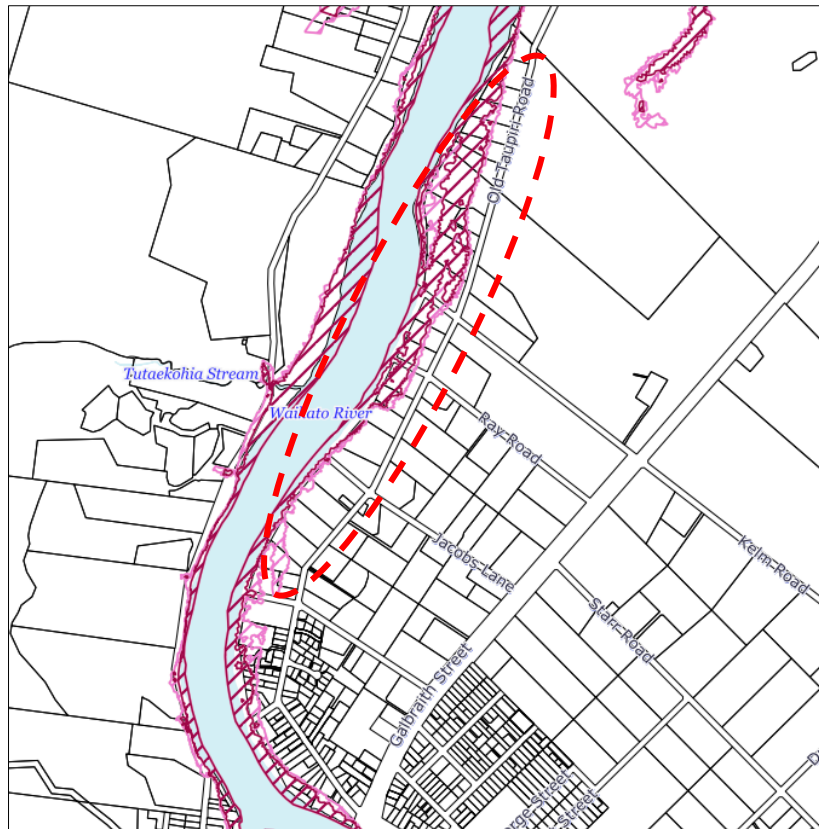
¹⁶ PDP, Chapter 5, Policy 5.6.2

and adjacent to Tuakau, which are provided with the option (in the notified PDP) of being subdivided to 1,000m² when reticulated services become available. While the merits of both of these zones are subject to separate s42A reports and hearing processes, the residential focus of the Village Zone appears to have quite a different context to that of the Country Living Zone, which is primarily for rural lifestyle purposes. I am also mindful of the WRPS rural-residential development principles that seek to (among other things) minimise effects on rural character and to avoid ribbon development.

97. Having regard to the large extent of the Hakarimata Road Country Living Zone, a change to a Village Zone would potentially create a substantial increase in residential density that may undermine the rural character of the area and impact on landscape values of the Hakarimata Range. In the absence of any detailed evidence to assess the potential environmental effects of the proposal, including how natural hazard risk is to be addressed in the Flood Plain Management Area in the vicinity of the Waikato River (as shown in the Stage 2 PDP Planning Maps), the rezoning proposal is unable to satisfy the specific rural-residential development principles set out in Section 6A of the WRPS. It is further noted that neither the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan' or Waikato 2070 identify the Hakarimata Road Country Living Zone as being suitable for residential intensification or necessary to accommodate additional households to satisfy NPS-UD requirements. I therefore recommend that these submission points be rejected.
98. With respect to the Old Taupiri Road, Galbraith Street and Jacobs Lane Country Living Zone (as indicated by the red dashed line in the maps below), it is recognised that while Future Proof 2017 and Waikato 2070 identifies this area as accommodating additional residential development within the next one to three years, the recent 'Population, Household and Land Capacity Report (December 2020)' prepared by WDC does not programme in the 'Galbraith' area coming on-stream until the 10 to 30-year timeframe bracket.
99. The submitters have also sought that this area be rezoned to Village Zone rather than Residential, which only provides limited development capacity and is likely to further compromise the ability to achieve a coherent settlement pattern at Residential Zone densities in the future. This latter point is also inconsistent with the WRPS rural-residential development principle that conflict with the foreseeable long-term needs for expansion of existing urban areas should be avoided.

Operative District Plan Zones	Proposed District Plan Zones
	
<p>*Please refer to the legends within the Planning Maps of the PDP for specific zones, overlays and notations that are not otherwise referred to in the body of this report</p> <p>**232 Old Taupiri Road is indicated by the red shading in the PDP map above (right)</p>	

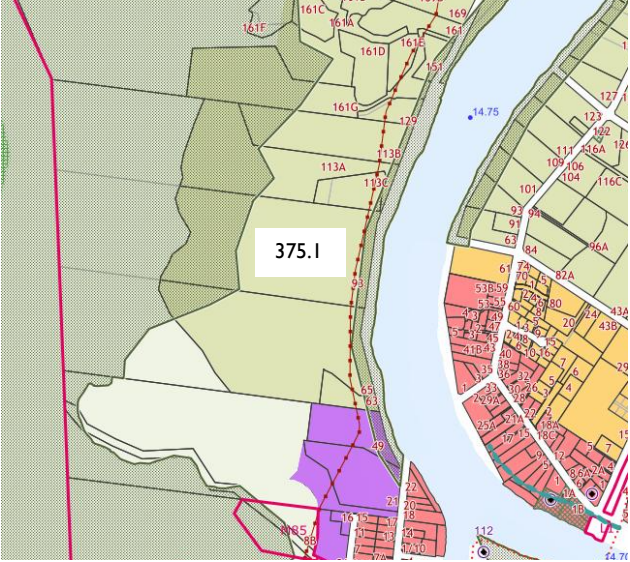
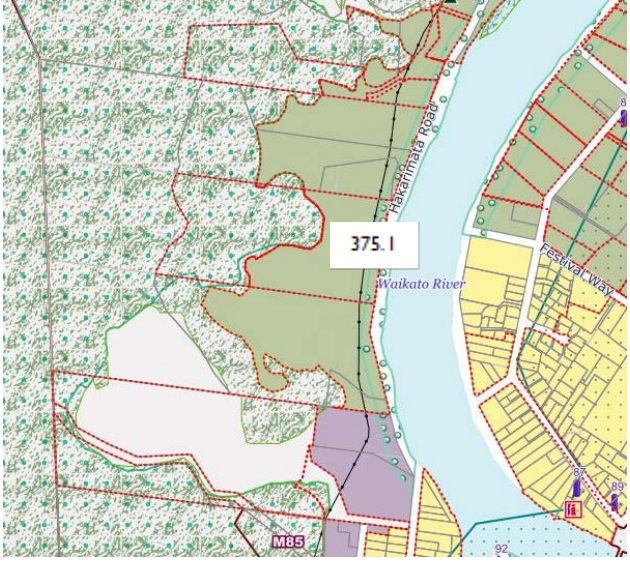
100. In addition, it is noted that parts of this Country Living Zone adjacent to the Waikato River are subject to both a High Risk Flood Area and Flood Plain Management Area, as shown in the Stage 2 PDP Planning Maps below.



101. Overall, I consider that without any evidence to support the rezoning of these properties to Village Zone (including the Rural zoned site at 232 Old Taupiri Road as highlighted in the PDP Zones map above) that demonstrates how these properties could be developed and serviced, and addresses (among other things) the potential natural hazard risk, that these submission points should be rejected. I am also of the view that ultimately the rezoning of these properties to Residential Zone would better align with the settlement pattern envisaged by Future Proof 2017 and Waikato 2070, subject to the scale and potential effects of development in this area being assessed in a more comprehensive and detailed manner. However, there is no submission seeking this relief, nor is there is sufficient scope (or evidence) to support a Future Urban Zone as part of the current District Plan Review process.

5.2.3 Extension to Country Living Zone

102. Paul Ivory [375.1] seeks to amend the zoning of the property at 93 Hakarimata Road from being a split zone of Rural Zone and Country Living Zone to being only Country Living Zone, as shown on the map below. No submitter evidence has been provided in support of this submission point.

Operative District Plan Zones	Proposed District Plan Zones
	
<p>*Please refer to the legends within the Planning Maps of the ODP and PDP for specific zones, overlays and notations that are not otherwise referred to in the body of this report</p>	

103. It is noted that the extent of Country Living Zone on the site has reduced in size compared to that of the ODP. However, it is apparent from the aerial photograph below that the amended zone boundary reflects the extent of indigenous vegetation on the site, which is identified as both a Significant Natural Area (SNA) and part of the Hakarimata Range Outstanding Natural Feature (ONF) (blue dots).



104. On the basis that the Rural zoned portion of the site is identified as part of both an SNA and an ONF, which must be recognised and provided for as a matter of national importance in accordance with s6 of the RMA and protected from adverse effects, as required by Policies 11.2 and 12.1 of the WRPS, I do not support the extension of the Country Living Zone over the balance of this property. It is also noted that the split between Rural and Country Living Zone along Hakarimata Road is consistent for all properties that border the SNA and ONF

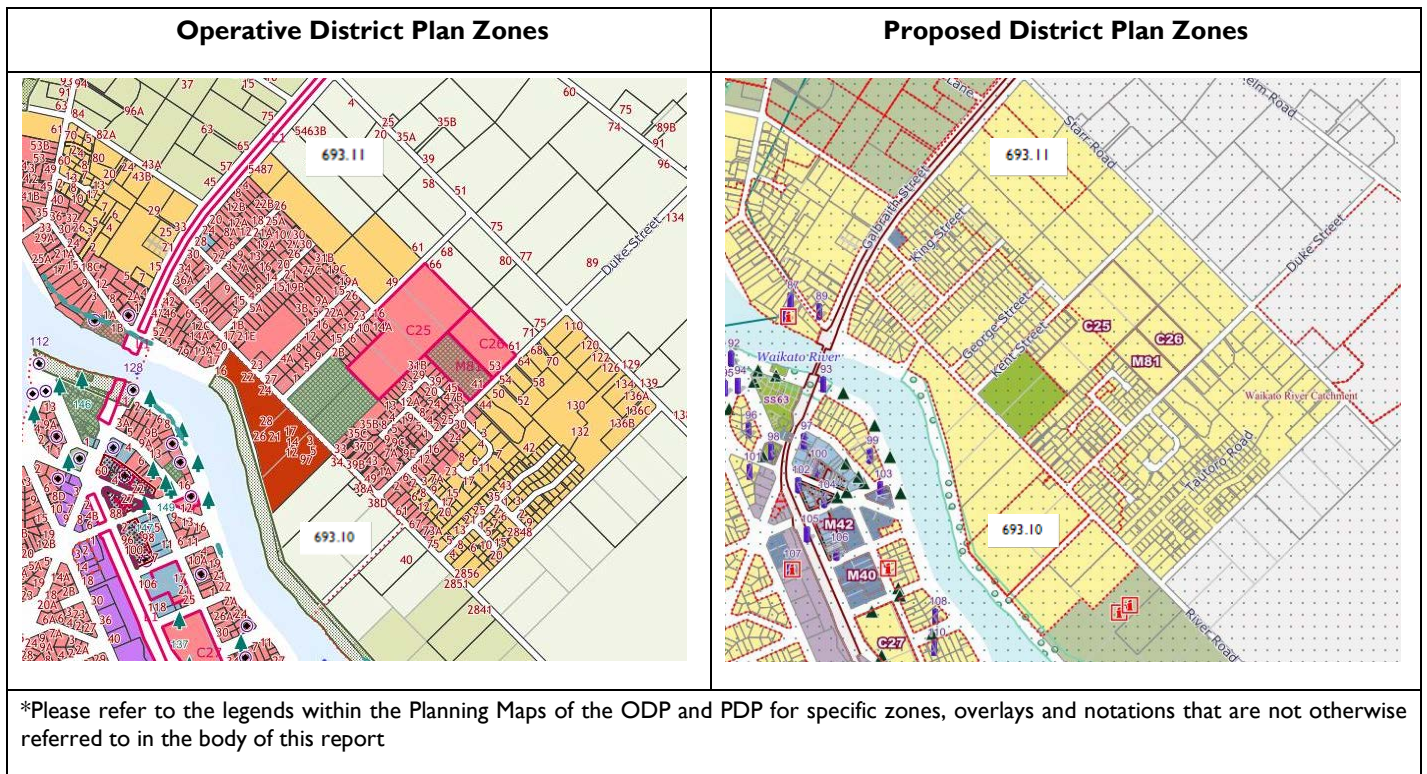
boundaries and therefore a departure from this approach for this particular site would potentially undermine the integrity of the provisions that affect the wider area. Overall, I consider that as the proposed rezoning would not give effect to the WRPS, I recommend that this submission point be rejected.

5.2.4 Rezoning of Residential zoned land to Rural in the absence of reverse sensitivity provisions

105. Alstra (2012) Limited [693.10 and 693.11] seek to either retain the proposed Residential zoning of the properties located at 38B River Road and 5463B Great South Road if there are reverse sensitivity provisions protecting the existing intensive farming activities, or if no such protection exists, the submitter seeks that these properties be rezoned to Rural (i.e. retain the current ODP Rural Zoning). The location of these properties is shown in the maps below.



106. No submitter evidence has been provided in support of these submission points.



107. Both of the subject sites currently contain intensive poultry farming activities and are zoned Rural under the ODP. The submission seeks that both of these intensive farming operations are protected from potential reverse sensitivity effects of residential development “until Alstra decides to cease operation”.
108. The ‘Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan’ identifies the River Road site as part of “Stage N3a” and the Great South Road site as part of “Stage N3c”, both of which were programmed in the 2036-2046 timeframe. Similarly, Waikato 2070 indicates that the River Road site is in the 30-year timeframe for development, while the Great South Road site is shown as being within the 10 to 30-year window. While not explicitly stated, the presence of the intensive poultry farms within these areas is likely to have contributed to the extended timeframes within these strategic documents.
109. Notwithstanding, the PDP has ‘live-zoned’ both of these growth areas to enable residential development. However, Ngaruawahia Policy 4.1.15 contains specific policies to ensure:
- (i) Existing intensive farming and industrial activities are protected from the effects of reverse sensitivity when locating new residential development;
 - (ii) That future residential development is not located within the intensive farming setbacks from the two operating poultry farms until such time that the two poultry farms within the residential growth areas of Ngaruawahia cease to exist.
110. These policies are implemented through Chapter 16: Residential Zone subdivision provisions (Rule 16.4.7) that require the boundary of proposed allotments¹⁷ to be setback at least 300m from any intensive farming activity. Non-compliance with this rule defaults to a non-complying activity status.

¹⁷ It is noted that s42A Residential Zone Report recommends that this rule be amended to clarify that the setback applies to every proposed lot “containing, adjoining or adjacent to” an intensive farming activity.

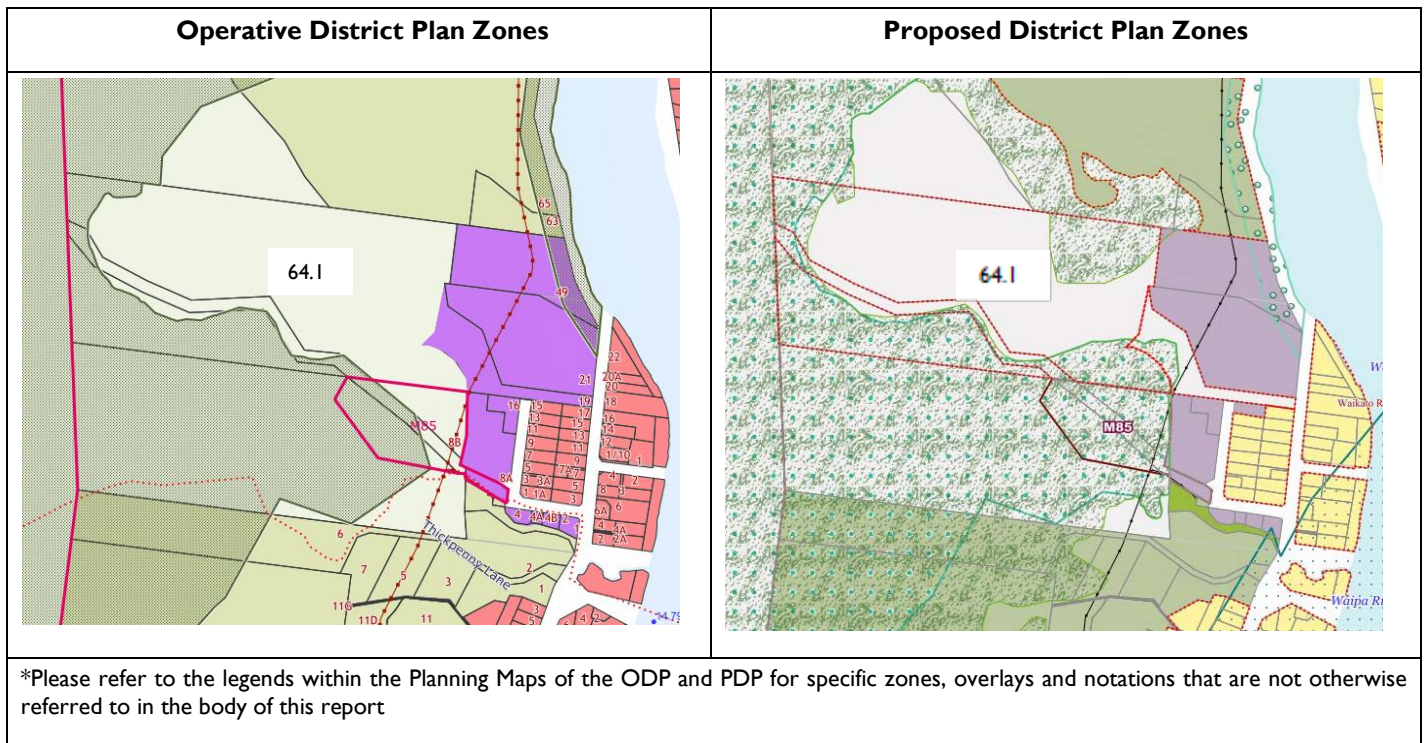
111. On the basis that the PDP contains provisions that will protect the submitters' intensive farming activities from reverse sensitivity effects until these operations cease, it is considered appropriate to retain the notified residential zones in these locations.
112. It is also recognised that the residential zoning of these sites in the PDP contributes to the provision of additional households to satisfy NPS-UD requirements and that the suitability of these sites for urban growth otherwise appears to be satisfy the development principles in Section 6A of the WRPS. I therefore recommend that these submission points be accepted in part.

5.2.5 Rezoning from Rural to Industrial Zone

113. Bilimoria Consulting Ltd [64.1] seeks to amend the zoning of the property at 19 Hakarimata Road (refer to aerial photograph which shows the cadastral boundaries of the property with red shading) from Rural to Light Industrial as shown on the planning maps overleaf.



114. No submitter evidence has been provided in support of this submission point.



115. It is noted that the Industrial zoning of 19 Hakarimata Road has been removed in the PDP compared to that of the ODP. However, it is apparent from the aerial photograph below that the amended zone boundary reflects the extent of indigenous vegetation on the site, which is also identified as part of the Hakarimata Range SNA and ONF, and that the industrial activity is primarily undertaken on the adjoining property at 21 Hakarimata Road, which has retained its Industrial Zone.



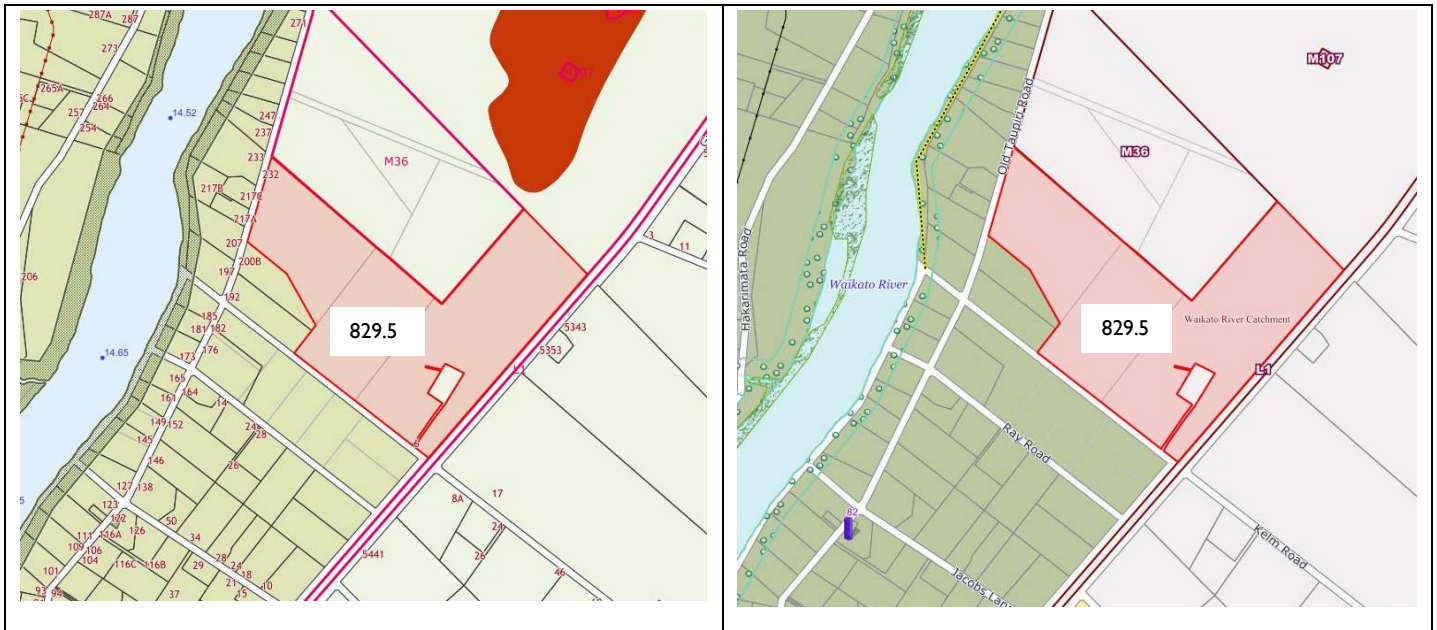
116. On the basis that part of the site sought to be rezoned Industrial is identified as an SNA and ONF, and that there is only a limited extent of the property at 19 Hakarimata Road used for industrial purposes, I do not support the reinstatement of the industrial zoning as reflected in the ODP. As mentioned previously, SNAs and ONFs must be recognised and provided for as a matter of national importance in accordance with s6 of the RMA and protected from adverse effects, as required by Policies 11.2 and 12.1 of the WRPS. As such I do not consider that the proposed rezoning would give effect to the WRPS. I therefore recommend that this submission point be rejected.
117. Whenua Holdings Ltd [829.5] seeks to amend the zoning of the property known as “Wallbank Farm” situated at Wallbank Road from Rural to Industrial as shown on the map below (contained in submission). No submitter evidence has been provided in support of this submission point, although there is a statement from further submitters as referenced below.



Map 3: Wallbank Road, Ngaruawahia, Property No. 1005161 (40ha)

118. The zoning of this property in the ODP and PDP, is shown below.

Operative District Plan Zones	Proposed District Plan Zones
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*Please refer to the legends within the Planning Maps of the ODP and PDP for specific zones, overlays and notations that are not otherwise referred to in the body of this report

119. The Wallbank Farm property is not identified as a potential urban growth area in the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan'. However, it does form part of a potential Hopuhopu Business Park (10-30 years) in Waikato 2070 and it is within the indicative urban limit of Future Proof 2017 and WRPS Map 6C. While the submitter has sought an Industrial zoning for the site, no evidence has been provided to demonstrate how this piece of land could be developed or serviced by network infrastructure, neither is there any assessment of the potential impact on the surrounding environment or the local roading network. I also note the statement from further submitters [FSI094, FSI103, FSI096 & FSI004] reiterating their concerns that the proposed industrial rezoning and resultant land use activities will detract from the amenity of residential properties in the area; compromise traffic, cycle and pedestrian safety; increase noise and lighting; and exacerbate localised flooding.
120. Overall, I consider that while the location of the subject site constitutes a logical expansion of the urban area, and urbanisation is contemplated in the future in Waikato 2070, there is at the current time insufficient information to determine whether an industrial zone is the most appropriate method to achieve the objectives of the PDP. Given the lack of submitter evidence and the lack of earlier assessment through the 2017 Structure Plan process, it is unclear whether infrastructure and services can be efficiently and economically provided, how the site might be safely accessed by heavy vehicles given its proximity to the rail corridor and local rural roads, and how the amenity values of sensitive activities will be protected (through, for instance, a more detailed structure plan for this area showing buffer areas or site-specific setback rules). As such, I consider that the proposed rezoning in the absence of such evidence would not achieve the development principles contained in Section 6A of the WRPS.
121. Notwithstanding, I consider that an urban zoning over this property may better align with the settlement pattern envisaged by Future Proof 2017 and the potential business park identified in Waikato 2070, subject to the scale and potential effects of development in this area (including the adjoining Old Taupiri Road, Galbraith Street and Jacobs Lane Country Living Zone discussed above) being assessed in a more comprehensive and detailed manner. However, there is no submission seeking this relief, nor is there is sufficient scope (or evidence) to support a Future Urban Zone as part of the current District Plan Review process.

122. For these reasons, I recommend that this submission point be rejected.

5.3 Recommendations

123. For the reasons above I recommend that the Hearings Panel:

- (d) **Accept** submission points by Michael Draper [608.1], Paul Liddle [665.1] and Bruce Stirling [674.1]
- (e) **Accept in part** submission points by Alstra (2012) Limited [693.10 and 693.11]
- (f) **Reject** submission points by Alstra (2012) Limited [693.12, 693.10 and 693.11], Whenua Holdings Ltd [829.8, 829.4 and 829.5], Mark Fendall [121.1 & 122.1], Riki Manarangi [409.2], the property owners on Galbrieth Street, Jacobs Lane and Old Taupiri Road [670.1], Paul Ivory [375.1] and Bilimoria Consulting Ltd [64.1].

5.4 Recommended amendments

124. Nil.

5.5 Section 32AA evaluation

125. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

6 Ngaruawahia – Central

6.1 Submissions

126. Submission points relating to the land within central Ngaruawahia seek:

- a. rezoning from Residential to a new Medium Density Zone;
- b. rezoning from Rural to Residential;
- c. retention of existing Business Zone; and
- d. rezoning from Industrial to Business Zone.

127. The submission points are listed in the following table in numerical order. However, the analysis of these points groups the submissions into the above topic areas.

Submission point	Submitter	Decision requested
265.1	James Whetu	Amend zoning of the properties at 2, 6 and 8 Durham Street Ngaruawahia from Industrial Zone to Business Zone.
589.7	Z Energy Ltd	Retain the Business Zone at 106 Great South Road, Ngaruawahia.
697.460	Waikato District Council	Amend Business Town Centre zoning for certain properties for the Ngaruawahia Town Centre, based on the types of activities that operate in these areas.
FS1387.566	Mercury NZ Limited	Oppose
768.1	Don Jacobs	Amend the zoning of the entire property at 7 Uenuku Street, Ngaruawahia, to Residential Zone.

749.154	Housing NZ Corporation	Add a new "Medium Density Residential Zone" to the Proposed District Plan zone maps as contained in Attachment 4 of the submission for the following urban settlements: Huntly Ngaruawahia Pokeno Raglan Taupiri Te Kauwhata Tuakau; AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI050.4	Kiwi Green NZ Ltd	Support
FSI316.48	Alstra (2012) Ltd	Support
FSI368.10	Rosita Dianne-Lynn Barnes	Support
FSI368.15	Rosita Dianne-Lynn Barnes	Support
FSI108.157	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support
FSI139.142	Turangawaewae Trust Board	Support
FSI202.105	NZ Transport Agency	Support
FSI276.152	Whaingaroa Environmental Defence Inc. Society	Oppose
FSI345.118	Genesis Energy Ltd	Oppose in part
FSI377.268	Havelock Village Ltd	Support
FSI377.268	Mercury NZ Ltd	Oppose

6.2 Analysis

6.2.1 Rezoning from Residential to a new Medium Density Zone

128. Housing NZ Corporation [749.154] (now Kāinga Ora-Homes and Communities [Kāinga Ora]) seek to rezone a large proportion of central Ngaruawahia from Residential to a new Medium Density Residential Zone (MDRZ). Kāinga Ora's submission regarding the MDRZ was initially addressed during Hearing 10 – Residential on 25 February 2020 and the draft MDRZ provisions (and associated "2020 32AA Report") were circulated to submitters on 23 November 2020. A final 32AA Report, which includes the revised draft MDRZ provisions is attached to the planning evidence of Mr Philip Stickney on behalf of Kāinga Ora (dated 17 February 2021). These provisions have been updated in response to the s42A report 'Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone', prepared by my colleague, Mr Jonathan Cleese.
129. I note that while Mr Cleese concluded in his s42A report that (subject to further refinement) the amended MDRZ provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, the geographic application of the zone boundaries is a matter to be determined via submitter evidence and s42a reporting officer responses on a township-by-township basis. This s42A report therefore addresses the appropriateness of a MDRZ in Ngaruawahia (only), and acknowledges that Kāinga Ora no longer wish to pursue this submission point with respect

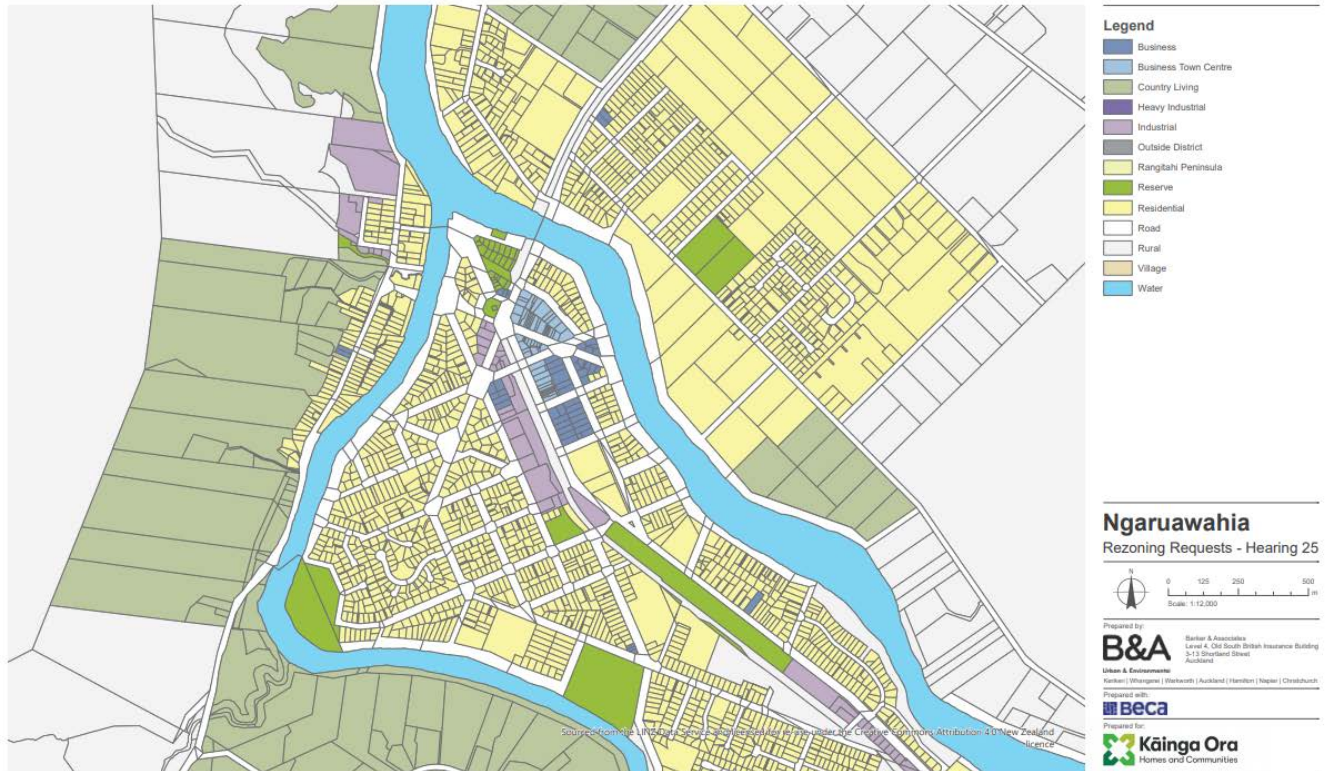
to Taupiri¹⁸. Notwithstanding, I record that I agree with the detailed urban design evidence of Mr Wallace that due to the limited size of Taupiri and its lack of access to the range of commercial services, community facilities and employment opportunities necessary to support a more intensive population, a MDRZ in central Taupiri is not considered good urban design practice.

130. As outlined in Mr Cleese's s42A report¹⁹, the NPS-UD, WRPS, and Waikato 2070 all have a strong and consistent focus on the need to provide for the community's housing requirements. Sufficient capacity is to be made available in locations that are appropriately serviced, with both new greenfield areas and areas of intensification to result in good quality urban environments. For intensification areas, the NPS-UD, in particular, acknowledges that a change in housing density and forms will result in a consequential change in amenity. This change is not, however, inherently adverse, but rather is simply different, and as with any change, different members of the community may regard the new different amenity as being either positive or negative.
131. Mr Cleese further noted that the direction provided in all three documents is towards an urban form that includes intensification and that opportunities for such intensification are to be provided in locations that are:
- 1) Within a walkable catchment of the commercial centres of the larger townships (generally no more than 800m);
 - 2) In townships where there is the potential for rapid public transport (which in a Waikato context is primarily the potential for a future regular Hamilton to Auckland commuter rail service);
 - 3) In townships where existing network infrastructure capacity exists;
 - 4) As a component of greenfield master planned developments that achieve the required WRPS density targets and where the provision of communal open space or natural features such as wetlands or waterways can provide an amenity 'trade-off' for smaller private gardens;
 - 5) Able to avoid areas with high landscape, ecological, heritage or cultural values;
 - 6) Able to avoid areas where natural hazard risk (typically flooding) cannot be readily mitigated;
 - 7) Able to avoid areas that would give rise to significant reverse sensitivity issues with existing industry, regionally significant infrastructure, or other established activities that cannot be readily mitigated.
132. Following a consideration of the various attributes of the main townships, Mr Cleese recommended that Ngaruawahia is suitable for intensified residential activity. I adopt Mr Cleese's assessment and recommendations in this regard.
133. The maps included in Appendix 2 of the appended 32AA Report (attached to Mr Stickney's evidence) illustrate the proposed spatial extent of the MDRZ now sought by Kāinga Ora, including Ngaruawahia. For ease of reference, the notified PDP map and the updated PDP map reflecting the relief now sought by Kāinga Ora are reproduced below, with the MRDZ shown in orange on the second map.

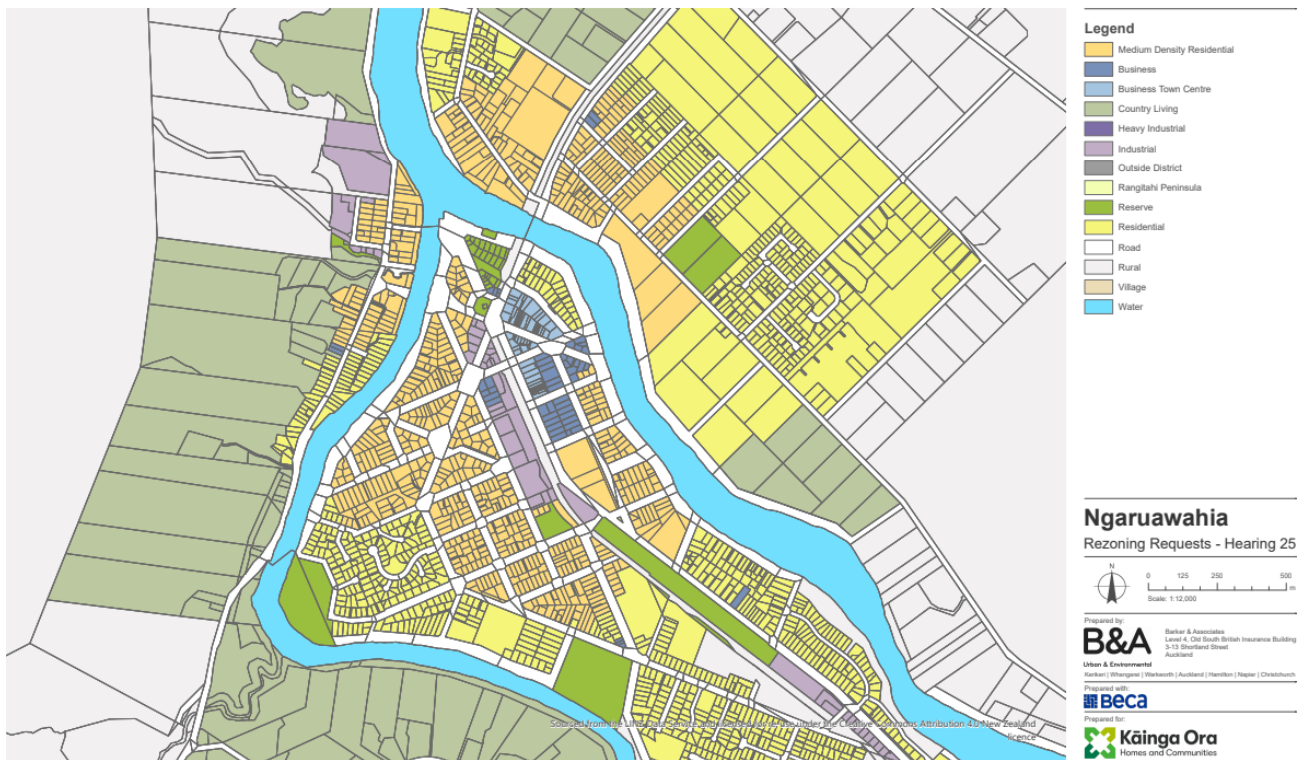
¹⁸ Evidence of Mr Philip Stickney, paragraph 10.13

¹⁹ s42A report 'Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone', paragraphs 191-192

Proposed Waikato District Plan Proposed zoning (as notified)



Proposed Waikato District Plan Map Title



134. Kāinga Ora has undertaken a comprehensive and detailed assessment and analysis of the spatial extent of the MDRZ in Ngaruawahia, as set out in Mr Stickney's evidence and that of others, including:
- Mr Cameron Wallace – urban design;
 - Mr John Parlane – transportation;
 - Mr Phil Osborne – economics.
135. As identified in Mr Wallace's evidence²⁰, the key matters considered relevant for the spatial application of the MDRZ within the Waikato context included:
- (a) Proximity to existing town centres as defined by walking catchments (e.g. a range of commercial activities and community facilities) – which, for Ngaruawahia, is 800m from the Business Town Centre Zone;
 - (b) Barriers to walkability;
 - (c) Proximity to a range of amenities and services essential for day-to-day living where these are not already located within a defined town centre; and
 - (d) Areas identified as subject to significant risks to natural hazards.
136. Once matters (a) through (d) above had been considered and mapped at a broad level, Mr Wallace advises that a finer level of analysis was undertaken, including observations from site visits to determine precise zone boundaries, taking into account site or area specific characteristics, including physical and social infrastructure, natural features and cadastral boundaries.
137. In terms of managing significant risks from natural hazards, Mr Wallace notes that *“where significant risks from natural hazards are identified, this may provide guidance as to areas where residential intensification may not be desirable. Where this has been identified as being applicable, Kāinga Ora have not sought further intensification through the application of the MDRZ. This contrasts with areas within the District where the policy framework seeks to manage the effects of natural hazards. Where this is the case it has been assumed that any effects associated with identified natural hazards can be managed via the resource consent process”*. To this accord, I note that while there are margins of the Waikato River within Ngaruawahia Township that are identified as being within a High Flood Risk Area (as notified through Stage 2 of the PDP), the overlap with the MDRZ sought by Kāinga Ora follows cadastral boundaries, which means that the remainder of the property outside the High Risk Flood Area is available for residential use. I also note that Mr Wallace advises²¹ that the entire block of land bounded by Market Street and the Lower Waikato Esplanade immediately north of the town centre was excluded due to identified flooding constraints.
138. As set out in Mr Stickney's evidence²², the MDRZ enables flexibility in housing typology, rather than limiting a specific typology to a particular settlement expressly in the provisions. This has the effect of creating a basic building “envelope” within a defined geographic area, based upon established urban design principles which will enable progressive change and transition of urban form within each settlement. Having reviewed the available evidence, I agree with Mr Stickney that while WDC has another two years to implement an intensification framework (as per the NPS-UD), there is sufficient evidence to enable its implementation as part of the current review process. I also concur that the location of the proposed MDRZ in Ngaruawahia achieves the general development principles outlined in Section 6A of the VRPS,

²⁰ Evidence of Mr Cameron Wallace, paragraph 6.4

²¹ Evidence of Mr Cameron Wallace, paragraph 12.3

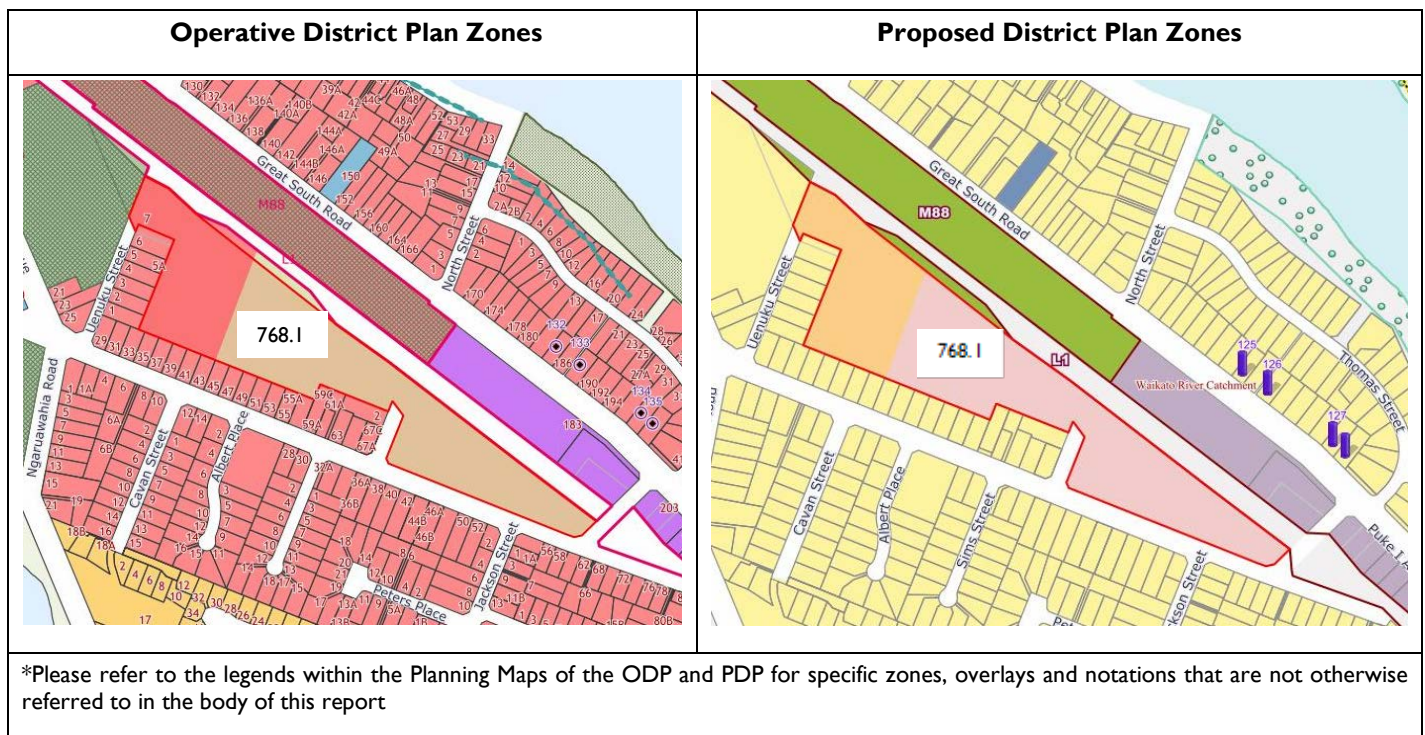
²² Evidence of Mr Philip Stickney, paragraph 11.5

is generally reflective of the residential intensification area identified in Waikato 2070, which was endorsed following a public consultation process, and aligns with the strategic policy framework of the PDP.

139. For these reasons, I recommend that this submission point be accepted in part, insofar as it relates to the introduction of a new MDRZ in central Ngaruawahia, as reflected in Kāinga Ora's evidence.

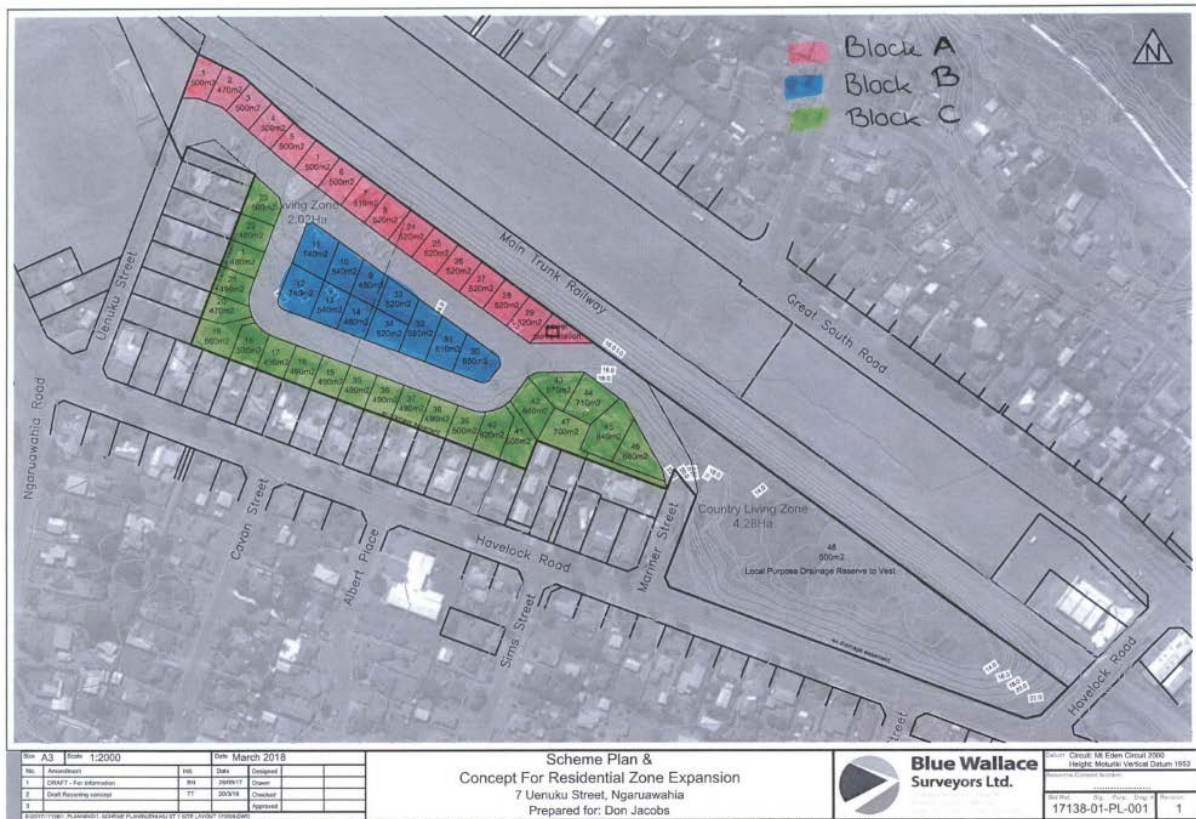
6.2.2 Rezoning from Rural to Residential

140. Don Jacobs [768.I] seeks to rezone the entire property at 7 Uenuku Street to Residential, as shown on the map below. No submitter evidence has been provided in support of this submission point. However, a 'Subdivision Suitability Report' addressing matters such as geotech, stability, flooding, soil contamination and three waters, prepared by engineering firm GDC Consultants Ltd accompanies the original submission.



141. The 6.35ha property is located in central Ngaruawahia and comprises an irregular shape. It is situated in between the NIMT to the north and residential development and Mariner Street to the south, with the eastern portion of the property operating as a stormwater drainage reserve by WDC (protected by easement). There is an existing dwelling within the residentially-zoned eastern portion of the site. The submission also states that the property is highly modified through past land use (with sand being taken from the site for the construction of the rail corridor) and can generally be described as being within a 'basin'. The railway embankment represents the property's most significant physical feature, although not contained within the site. The property is described as containing physical remnants of previous land use legacies (i.e. the land was previously used by a wreckers), which would be removed and appropriately remediated to facilitate residential development. It is noted that the site had a split zoning of Living/Country Living under the ODP. However, the PDP has rezoned the Country Living portion of the site to Rural due to known development constraints.

142. The submission contains the following potential subdivision plan for the site, should the submission be accepted.



143. The above subdivision plan was used as a basis for the engineering assessment, the key findings of which are summarised as²³:

- The Site is not recognised as having a flood hazard risk.
- Due to stormwater charges onto the property, ponding does occur on the Site.
- The Site contains an overland flow path (again exacerbated by the current stormwater discharges).
- The Site has low liquefaction risk under a geohazard assessment (due in part to a low water table).
- The Site is subject to some erosion.
- HAIL activities have occurred on the Site – future development will require a Detailed Site Investigation.
- From a geotechnical perspective, the Site contains 'Good Ground' that can support building foundations.
- In regard to waste water – a connection to Council infrastructure will be required.

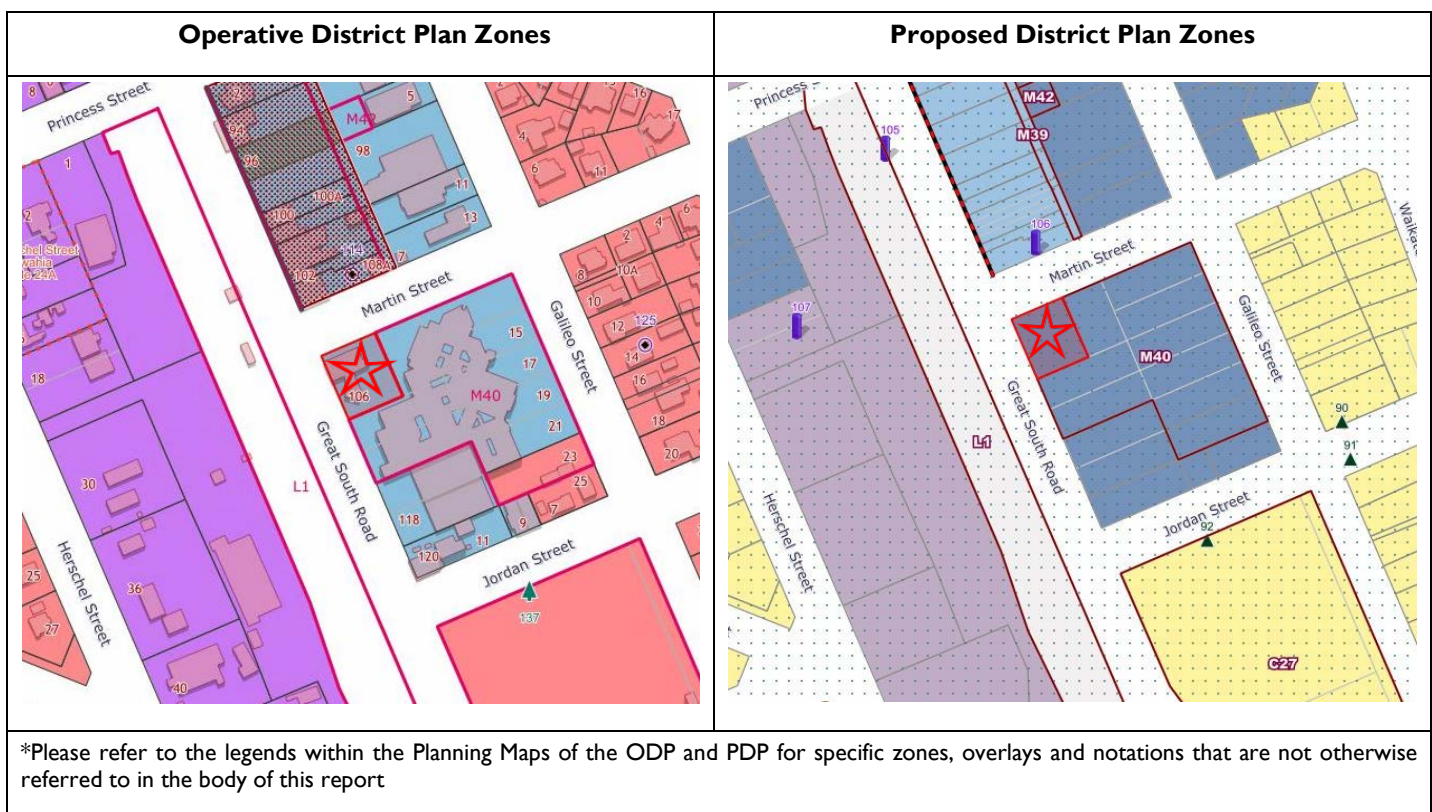
144. It is also noted that the site was identified as having a potential ponding depth greater than 0.3m in the Catchment Management Plan assessment undertaken as part of the Ngaruawahia Structure Plan process (as contained in Appendix B of the submission). As a result of these constraints, the Structure Plan did not identify the site as being appropriate for residential intensification.

²³ Don Jacobs submission [768], paragraph 3.16

145. Overall, I consider that a Rural Zoned block of land in the centre of a township results in an incongruous zoning pattern, and likewise does not generally align with the higher order direction regarding consolidation of growth within existing townships.
146. However, while I acknowledge that the notified zoning may not be the optimal long-term zoning for the site, the site is subject to a number of constraints, in particular, unknown levels of soil contamination, stormwater ponding and associated pits, and proximity to the NIMT. The submitter has undertaken an initial assessment of the appropriateness of a residential zoning across the entire site. However, there is still insufficient information available to confirm that the remainder of the site is suitable for the proposed use. In particular, further evidence is required to demonstrate how ponding and stormwater effects are intended to be managed, confirm the extent of soil contamination and potential remediation through a detailed site investigation (and therefore whether a change in use is appropriate), the potential impacts on servicing and the local transport network, and confirmation as to how potential reverse sensitivity effects on the NIMT are to be minimised. In the absence of this information, it is uncertain whether the proposal is able to achieve the Strategic Objectives of the PDP or satisfy the general development principles set out in Section 6A of the WRPS. I therefore recommend that this submission point be rejected.

6.2.3 Retention of existing Business Zone

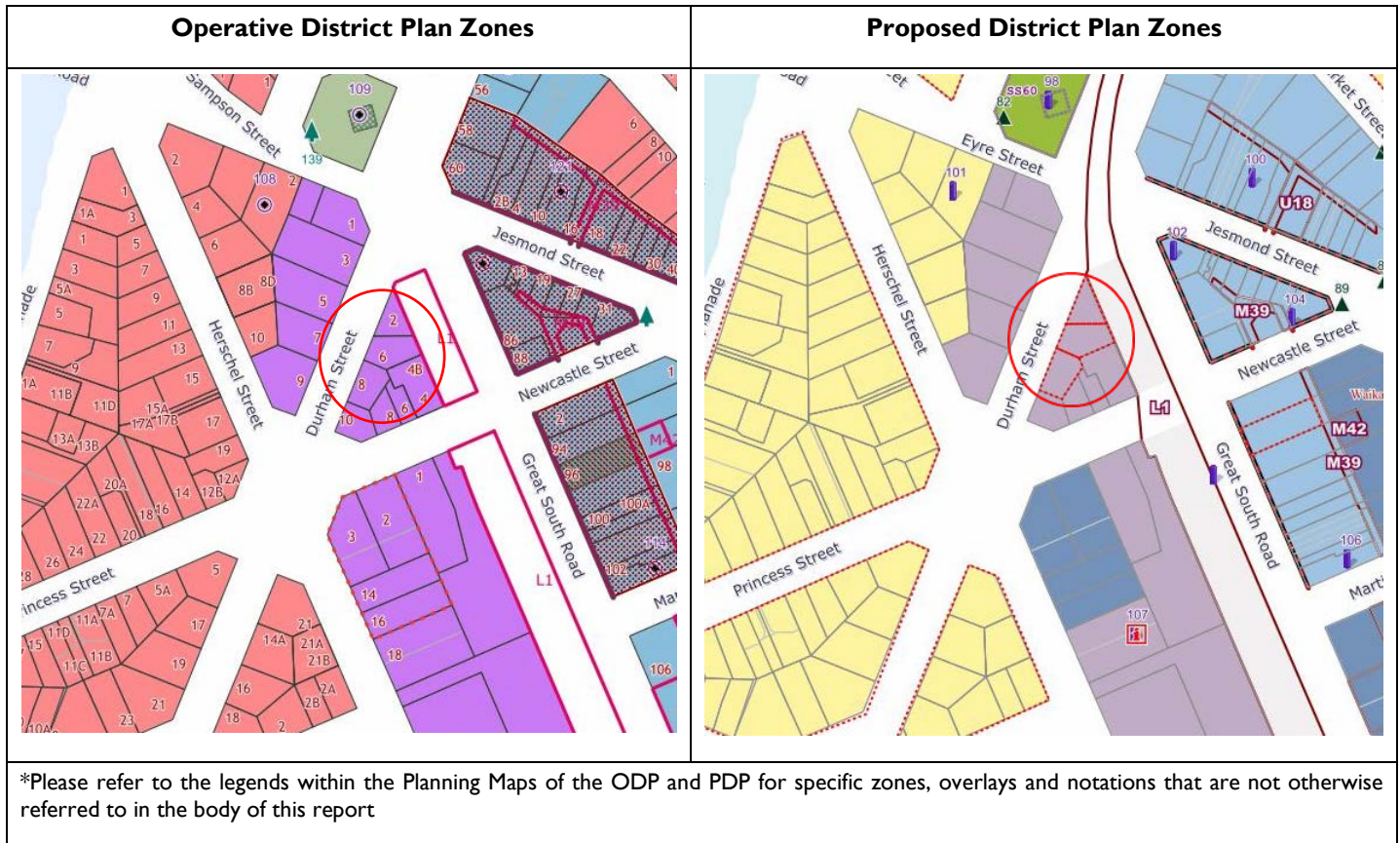
147. Z Energy [589.7] seek to retain the Business Zone at 106 Great South Road as notified, as shown on the map below. No submitter evidence has been provided in support of this submission point.



148. On the basis that no changes to this Business Zone are recommended, and the notified zoning otherwise appears to satisfy the general development principles set out in Section 6A of the WRPS and provide for business capacity under the NPS-UD, I recommend that this submission point be accepted.

6.2.4 Rezoning from Industrial to Business Zone

149. James Whetu [265.1] seeks to rezone the properties at 2, 6 and 8 Durham Street from Industrial to Business Zone, as shown on the map below (location indicated by red circle). WDC [697.460] also seek to amend the Business Town Centre zoning for certain Ngaruawahia Town Centre properties based on the types of activities that operate in these areas. No submitter evidence has been provided in support of these submission points.



150. Mr Whetu advises that the properties at 2, 6 and 8 Durham Street have a history of retail and commercial service use and would therefore be more appropriately zoned Business rather than Industrial (which does not permit general retail activities). The submitter is also of the view that while the sites are in close proximity to the town centre, the size of the properties are such that their use for commercial purposes will complement the town centre rather than detract from it. In addition, it is noted that PDP identifies new Business-zoned land outside the town centre near the subject sites at 3 Princess Street and 14 and 16 Herschel Street, which currently appear to be used for residential purposes.
151. Similarly, the WDC submission acknowledges that the Business Town Centre zone may not be appropriate for all land parcels in Ngaruawahia and that further work is required to address this.
152. There is limited information available to assess the merits of the above submission points, except that it appears that both the extent and location of the Business Town Centre and Business Zones in central Ngaruawahia would benefit from a more fine-grained analysis of existing land uses and how best to achieve a vibrant and sustainable town centre. I therefore recommend the properties located at 2, 6 and 8 Durham Street form part of the Council's review of the notified Business Zones in Ngaruawahia. Notwithstanding, given that there is

insufficient evidence to recommend any change in zoning at this stage, I consider that both submission points should be rejected.

6.3 Recommendations

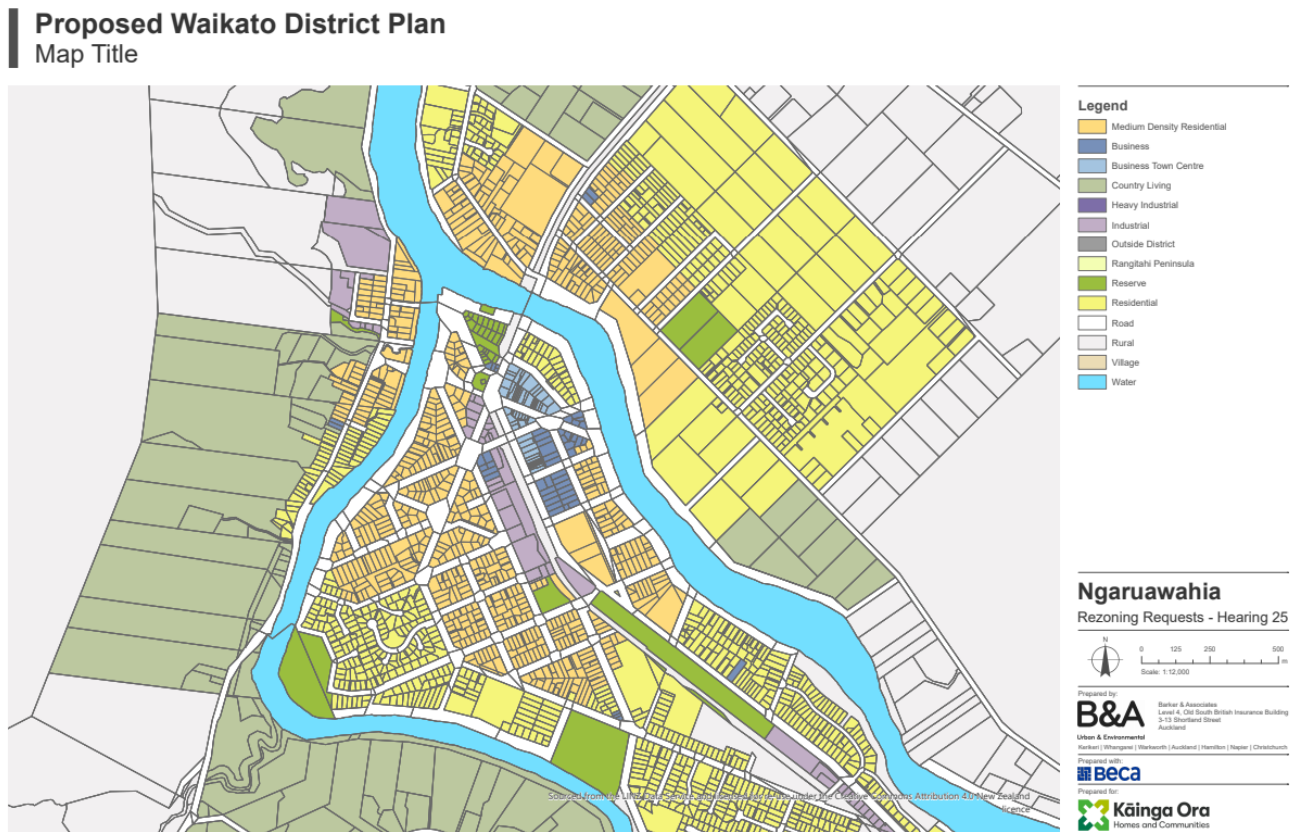
153. For the reasons above I recommend that the Hearings Panel:

- (a) **Accept** submission point by Z Energy [589.7]
- (b) **Accept in part** submission point Kāinga Ora-Homes and Communities [749.54], to the extent that it relates to Ngaruawahia
- (c) **Reject** submission points by James Whetu [265.1] and Waikato District Council [697.460] and Don Jacobs [768.1]

6.4 Recommended amendments

154. The following amendments are recommended:

- (a) That the Planning Maps for Ngaruawahia be amended to reflect the new Medium Density Residential Zone, as shown in orange below.



6.5 Section 32AA evaluation

155. The expert evidence of Kāinga Ora is accompanied by a robust s32AA assessment that concludes that the extent of the proposed MDRZ in Ngaruawahia is the most appropriate way to achieve the objectives of the PDP and give effect to both the WRPS and NPS-UD.
156. The assessment identifies that there is a clear policy framework to promote and enable residential intensification of existing urban areas with a particular focus on locating intensification in areas which would better support the use of active modes of transport, reduce private vehicle use and contribute to more vibrant, well-functioning centres. It is

further recognised that this is consistent with good urban design practice, which considers the optimal spatial arrangement of land uses, relative to each other, result in the most efficient use of land, support community and commercial centres, and maximise use of active and public transport networks²⁴.

157. Having reviewed this assessment in the context of the outcomes sought by the higher order directions provided in the WRPS and NPS-UD, I agree with these conclusions and adopt the submitter's s32AA evaluation.

7 Ngaruawahia – South

7.1 Submissions

158. Submission points relating to the land within southern Ngaruawahia seek to either retain or amend the notified Residential Zone in the Saulbrey Road area. The submission points are listed in the following table in numerical order.

Submission point	Submitter	Decision requested
40.1	Mark De Lautour	Retain the Residential zone for the property at 46 Jackson Street, Ngaruawahia as notified.
FS1107.1	Simon Upton	Oppose
FS1119.7	Stephen Roberts	Oppose
FS1161.3	Alan Bekhuis	Oppose
FS1386.32	Mercury NZ Limited for Mercury C	Oppose
76.1	Gulab Bilimoria for Bilimoria Consulting Ltd	Retain the proposed zoning of the properties at 24 and 43A Saulbrey Road, Ngaruawahia as Residential Zone.
FS1107.21	Simon Upton	Oppose
FS1161.8	Alan Bekhuis	Oppose
FS1386.62	Mercury NZ Limited for Mercury C	Oppose
396.1	Alan Bekhuis	Amend the zoning of the rear portion of the property at 25 Rangimarie Road, Ngaruawahia to Country/Rural living.
FS1107.4	Simon Upton	Support
FS1116.2	John Allan on behalf of John and Margherita Allan	Oppose
FS1119.5	Stephen Roberts	Support
FS1287.15	Blue Wallace Surveyors Ltd	Oppose
FS1388.130	Mercury NZ Limited for Mercury E	Oppose

²⁴ Kāinga Ora Section 32AA, prepared by Beca, section 4.3

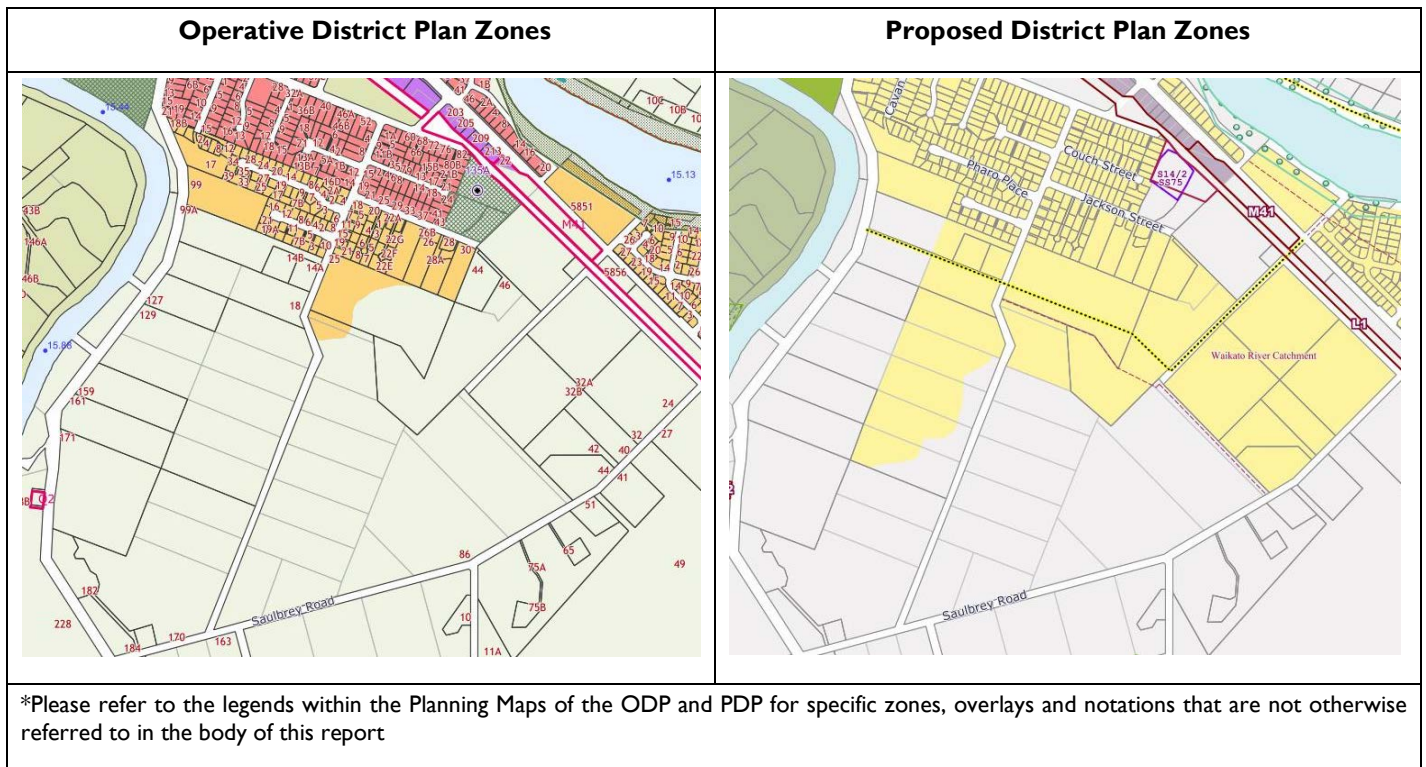
697.343	Waikato District Council	Amend zoning of the property at 86 Saulbrey Road, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan. Refer to attached map in submission.
FS1107.5	Simon Upton	Support
FS1161.4	Alan Bekhuis	Support
FS1119.2	Stephen Roberts	Support
FS1387.539	Mercury NZ Limited for Mercury D	Oppose
697.461	Waikato District Council	Amend zoning of property at 46 Jackson Street, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan.
FS1088.1	Mark de Lautour	Oppose
FS1119.3	Stephen Roberts	Support
FS1387.567	Mercury NZ Limited for Mercury D	Oppose
756.1	Simon Upton	Amend the extent of the proposed extension of Residential Zoning on the south side of Ngaruawahia as detailed on Map 20.7 to provide a clear urban boundary and transition to the rural zone that preserves the integrity of the gully system and stream margins on the south side of the existing town and reflects the landscape, visual, open green space, green linkages and amenity values promoted elsewhere in the PDP; AND Defer the re-issue of any amended version of the residential zoning limits detailed in Map 20.7 until the March 2017 Structure Plan has been revised to reflect the strategic directions, objectives and policies of the PDP and has been subjected to full consideration of alternative zone boundaries as required by s 32 RMA.
FS1088.2	Mark de Lautour	Not Stated
FS1116.1	John Allan on behalf of John and Margherita Allan	Oppose
FS1119.1	Stephen Roberts	Support
FS1161.1	Alan Bekhuis	Support
FS1161.2	Alan Bekhuis	Support
FS1108.152	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1379.302	Hamilton City Council	Oppose
859.1	Stephen Roberts	Amend the zoning within the proposed subdivisions of Ngaruawahia South Map 20.7 from Residential Zone to Reserve Zone, to create a visual amenity area from Puke-I-aahua Pa site (Havelock Hill) to the knoll (see map attached

		to submission for location, between Jackson Street, Saulbrey Road and the proposed Rangimarie Road extension).
FS1161.6	Alan Bekhuis	Support
FS1107.18	Simon Upton	Support
FS1387.1394	Mercury NZ Limited for Mercury D	Oppose

7.2 Analysis

7.2.1 Retention of, or amendment to the notified Residential Zone in the Saulbrey Road area

159. Mark de Latour [40.1] and Bilimoria Consulting Ltd [76.1] seek to retain the notified Residential zoning at 46 Jackson Street, and 24 and 43A Saulbrey Road respectively. These submissions are opposed by the further submissions of other submitters seeking amendments to this zoning, as outlined below. WDC [697.343 and 697.461] seek to make minor amendments to the residential zoning at 86 Saulbrey Road and 46 Jackson Street to reflect the boundaries set out in the Ngaruawahia Structure Plan. Mr Latour has provided an additional statement to support his submission. However, no further information has been provided by Bilimoria Consulting Ltd or WDC.
160. Simon Upton [756.1] seeks to amend the extent of the Residential Zone in the Saulbrey Road area *“to provide a clear urban boundary and transition to the rural zone that preserves the integrity of the gully system and stream margins on the south side of the existing town and reflects the landscape, visual, open green space, green linkages and amenity values promoted elsewhere in the PDP”*. Expert evidence in support of Mr Upton’s submission has been prepared by Mr Grant Eccles (planning) and Mr David Mansergh (landscape).
161. Similarly, Alan Bekhuis [396.1] seeks to amend the zoning of the rear portion of the property at 25 Rangimarie Road to Country/Rural living and Stephen Roberts [859.1] requests an amendment to the residential zoning within the Saulbrey Road area to create a visual amenity area from Puke-I-aahua Pa site (Havelock Hill) to a knoll identified in the submission, which is sought to be rezoned as Reserve. No additional submitter evidence has been provided in support of these submission points.
162. The ODP and PDP zoning of the Saulbrey Road area is shown in the map below.



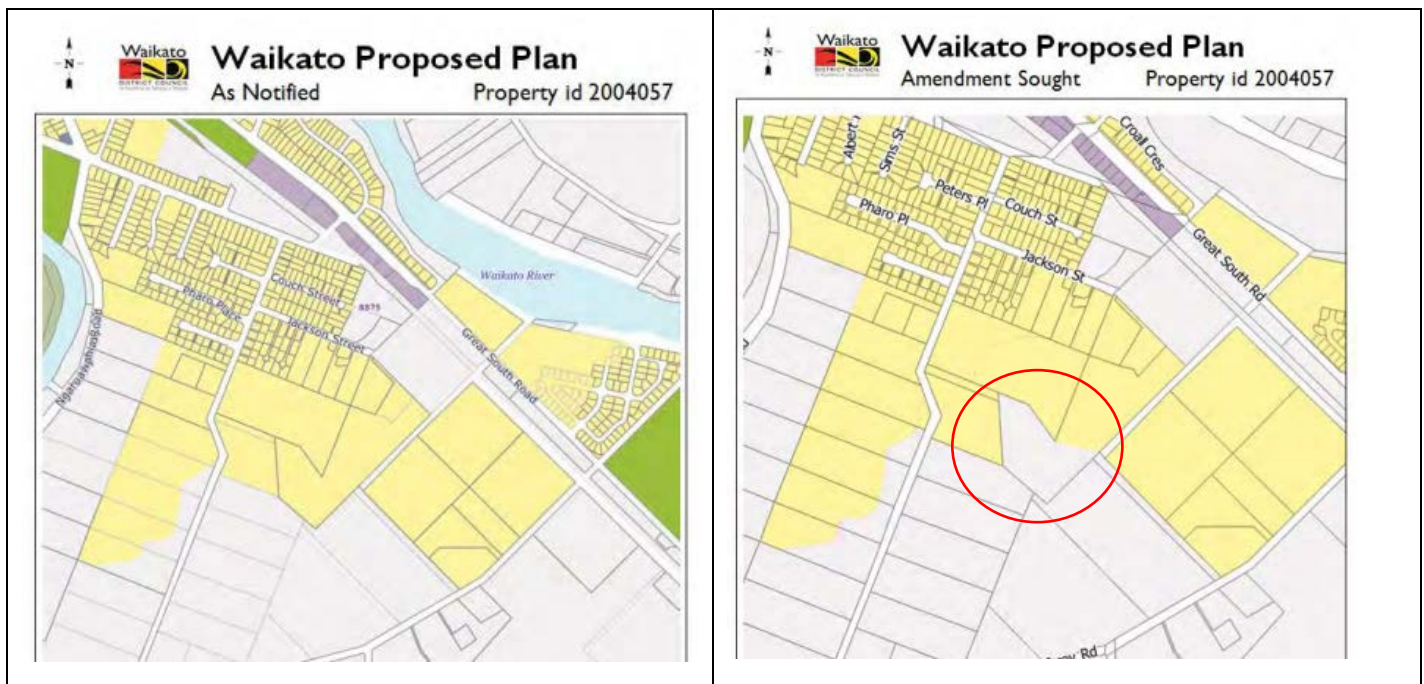
163. The Saulsbrey Road residential growth area is identified in the 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan', Waikato 2070 and Future Proof 2017 and is anticipated to accommodate up to 464 households within the 2023 to 2030-year timeframe to satisfy NPS-UD supply requirements²⁵. The Structure Plan staging map is shown below. Each stage has a 'net developable area and density in dwelling units per ha', which for the Saulsbrey Road area are:

- Stage N1c – 80% developable (2.1ha x 12 du/ha)
- Stage N2a – 75% developable (25.5ha x 12du/ha)
- Stage N3b – 65% developable (26.6ha x 12du/ha)

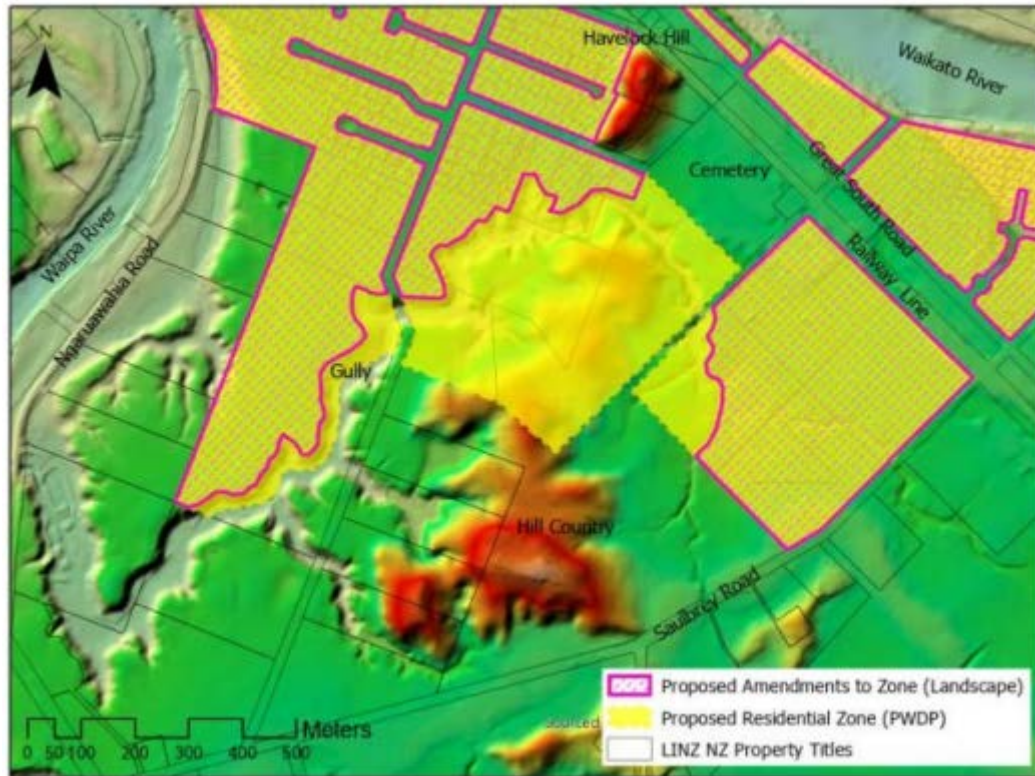
²⁵ S42A Framework Report, Appendix 8: List of Growth Cells (Waikato 2070)



164. WDC's request [697.343 and 697.461] to make minor amendments to the residential zoning at 86 Saulsbrey Road and 46 Jackson Street to reflect the boundaries set out in the Ngaruawahia Structure Plan is shown in the maps below (contained in the submission). I have added a **red circle** to highlight the change sought, which is understood to be a mapping error.



165. In terms of the relief sought by Simon Upton [756.1], I note that the planning evidence of Mr Eccles contains the following map of the alternative Residential Zone boundary sought, which is supported by the landscape evidence of Mr Mansergh.



166. Mr Eccles recognises that the Saulbrey Road growth area appears to be one of the key greenfield areas that contribute to WDC achieving its medium term (3-10 years) NPS-UD requirements for zoned land in Ngaruawahia. To this extent, he advises that if the zone boundary as sought is accepted, then around 20ha of land would be removed, which at a simplistic yield of 75% developable land area (thus 15ha) at 12 dwellings/ha, means that 180 dwellings might be removed from the supply equation. However, Mr Eccles also considers that the “loss” is not real and nor does it have any significance because large parts of the land that would not be zoned are gully and steeper hill country where development could either not occur or would only be able to be done at much lower density than the remainder of the zone. In addition, he notes that other submitters (e.g. Kāinga Ora) are seeking greater intensification within central Ngaruawahia, which may offset a reduction in yield at Saulbrey Road, together with other greenfield growth opportunities²⁶.
167. Further, Mr Eccles advises that while the Upton land parcel in question is part of Growth Cell N1c (2.7ha total) and the corrected zoning sought in WDC’s submission would match the Structure Plan extent of zoning, the Structure Plan was (necessarily) a high-level exercise that required ground truthing to confirm the detailed locations of matters such as the zone boundaries. He therefore considers that the ground truthing aspect is important given the values and features of the Saulbrey Road area, including landscape character (as outlined in Mr Mansergh’s evidence), reverse sensitivity on adjacent farming activities, ecological values of the gully environments, natural hazards (noting that the Stage 2 PDP maps indicate that the gully system is subject to inundation) and cultural values associated with Havelock Hill, being a former pa known as Puke-i-ahua²⁷.
168. Mr Mansergh’s evidence considers the potential impact of the notified residential zoning from a landscape perspective and concludes that the zone boundary should be amended to be more sympathetic to the topographical features that contribute to landscape character and amenity. He therefore supports a zone boundary that follows the northern edge of the major gully

²⁶ Evidence of Mr Grant Eccles, paragraphs 11-14

²⁷ Evidence of Mr Grant Eccles, paragraphs 22-30

system in order to avoid higher density development occurring on the elevated land. While he notes that lower density development on the more elevated terrain within the zone could also be an option, it is not one he prefers²⁸.

169. I have also reviewed the additional information provided by Mark de Latour [40.1] in support of his whole property at 46 Jackson Street being zoned for residential purposes.

170. In assessing the basis for the notified Residential Zone in the PDP, I note that the preparation of the Structure Plan incorporated the findings of a landscape assessment of the study area, prepared by Mansergh Graham Landscape Architects (May 2014). As also reproduced in Mr Mansergh's evidence, the key finding of this assessment was that (page 70):

Overall, with the exception of the rivers and the Hakarimata Range, no major landscape constraints were found to exist within the Ngaruawahia and surrounds study area, only subtle differences, which make some areas slightly more or less suitable for development. Landscape is therefore not likely to be the deciding factor in determining the extent/ exact locations for future development within the Ngaruawahia Study Area.

171. The Structure Plan does, however, recognise that development of the Rangimarie Road to Saulbrey Road area will require restoration work on the main gully system to enable it to serve as an important stormwater and amenity feature. In addition to the discharge of stormwater, the gully is intended to be a significant natural open space area that could provide for a walking trail along the gully that links to the adjacent road and footpath network²⁹.

172. On the basis that the zone boundary of the Saulbrey Road residential growth area, as shown in the Structure Plan, was informed by a landscape assessment and that any subsequent subdivision of this land will need to achieve a design and layout that satisfies the outcomes of the PDP policy framework, including maintaining landscape characteristics (Policy 4.1.9), I recommend that the notified Residential Zone boundary be retained, except where amendments are required to align with the Structure Plan boundary. The fact that not all land included in the growth area will be suitable for development is recognised by the reduced yields in the Structure Plan, which range between 65% - 80% over the three stages. In addition, the Structure Plan anticipates that the main gully system will become a significant natural open space area. It is further noted that while the area contains a range of values and features, none of these have been identified as being of a magnitude that requires recognition and protection under either the ODP or PDP on landscape, ecology, or cultural grounds. I also note that the amended zone boundary sought by the submitter would exclude land that is currently zoned for residential purposes under the ODP.

173. Overall, I consider that the site-specific constraints of the Saulbrey Road residential growth area can be addressed at the time of subdivision and that with the minor amendment of the zone boundary, the urban development of the area will give effect to Chapter 6 of the WRPS and provide additional housing capacity to satisfy the NPS-UD requirements.

174. For these reasons, I recommend that the submission points by WDC [697.343 and 697.461] be accepted and that the remaining submission points be accepted, accepted in part or rejected accordingly.

7.3 Recommendations

175. For the reasons above I recommend that the Hearings Panel:

- (a) **Accept** submission points by Waikato District Council [697.343 and 697.461] and Bilimoria Consulting Ltd [76.1]

²⁸ Evidence of Mr David Mansergh, paragraphs 37-38

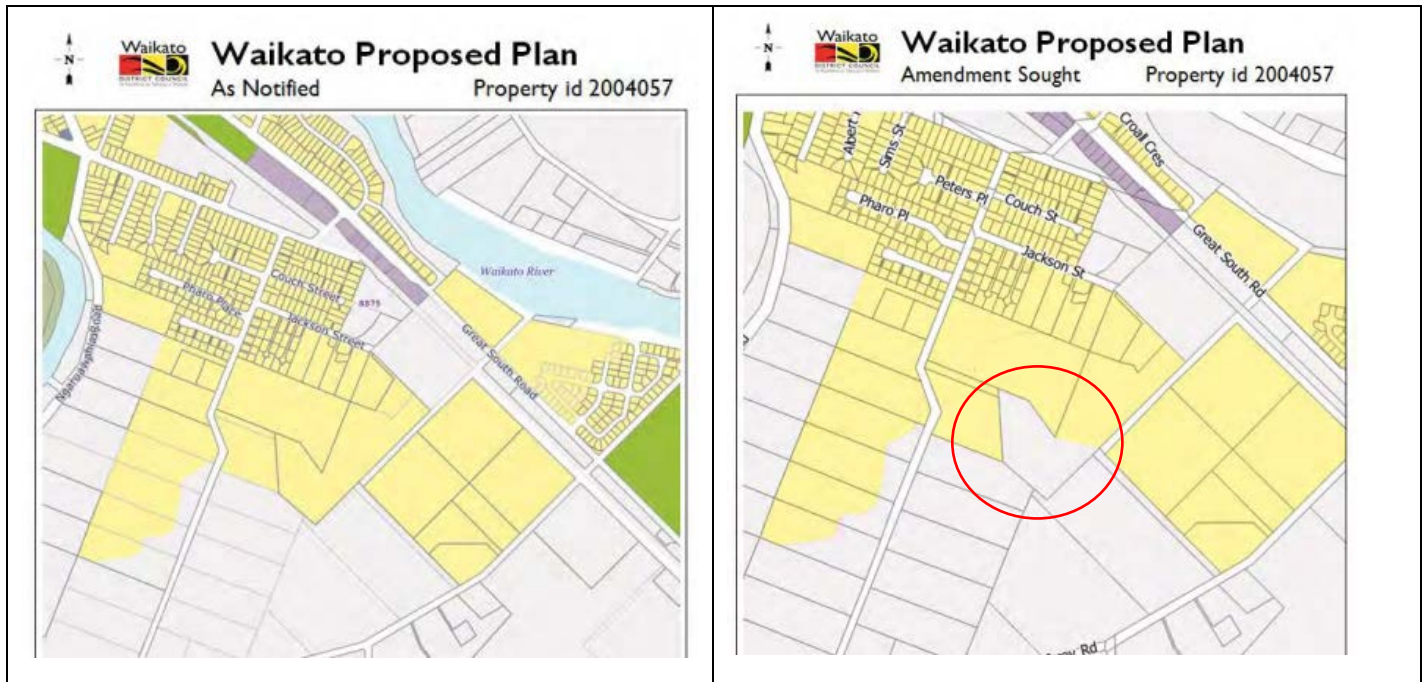
²⁹ 'Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan', Section 5.1, page 56

- (b) **Accept in part** submission point by Mark de Latour [40.1]
- (c) **Reject** submission points by Simon Upton [756.1], Alan Bekhuis [396.1] and Stephen Roberts [859.1]

7.4 Recommended amendments

176. The following amendments are recommended:

- (b) That the Planning Maps for Ngaruawahia be amended by realigning the Residential Zone boundary at 86 Saulbrey Road and 46 Jackson Street to reflect the boundaries set out in the Ngaruawahia Structure Plan, as shown below.



7.5 Section 32AA evaluation

- 177. On the basis that the recommended amendment to the zone boundary is to correct a mapping error to align the Residential Zone with the growth area identified in the Ngaruawahia Structure Plan, it is considered that the scale of this change is negligible in the context of both Ngaruawahia and the District as a whole.
- 178. As such the recommended change is not considered to challenge the higher order growth direction contained in the WRPS and provides a more effective and efficient zone boundary, which is supported by technical assessments that were undertaken as part of the Structure Plan process. There are potential costs associated with the change in zoning, in terms of loss of potential development opportunities to the property owner, although the land is currently zoned Rural under the ODP. The benefits are that the residential zone boundary reflects the development outcomes anticipated by the Ngaruawahia Structure Plan. Given the small size of the affected property, there are not considered to be any significant risks in either acting (changing the zoning back to Rural) or not acting (retaining the Residential zone), however overall, it is considered that the realignment reflects a zone boundary that is supported by technical assessments and has been through a community consultation process.

8 Horotiu

8.1 Submissions

179. Submission points relating to the land within Horotiu seek:

- a. the retention, modification, or extension of the notified Residential Zone;
- b. rezoning from Country Living to Residential Zone;
- c. rezoning from Rural to Residential Zone;
- d. rezoning Residential to Business Zone; and
- e. the retention of, or extension to, the Industrial Zone.

180. The submission points are listed in the following table in numerical order. However, the analysis of these points groups the submissions into the above topic areas.

Submission point	Submitter	Decision requested
95.1	Warren Allen	Retain the Residential Zoning for the property at 18 Kernott Road, Horotiu.
FS1313.30	Perry Group Limited	Support
FS1379.19	Hamilton City Council	Oppose
FS1386.73	Mercury NZ Limited for Mercury C	Oppose
96.1	Carmen Allen	Retain the Residential Zoning for the property at 18 Kernott Road, Horotiu.
FS1313.31	Perry Group Limited	Support
FS1379.20	Hamilton City Council	Oppose
FS1386.74	Mercury NZ Limited for Mercury C	Oppose
128.1	Trevor Reid	Retain the Residential Zoning for the property at 6257 Great South Road, Horotiu.
FS1036.6	Brownie Investments Limited	Support
FS1039.8	Colette Brown	Support
FS1017.11	Gulab Bilimoria	Support
FS1017.16	Gulab Bilimoria	Support
FS1313.32	Perry Group Limited	Support
FS1379.27	Hamilton City Council	Oppose
FS1386.109	Mercury NZ Limited for Mercury C	Oppose
128.3	Trevor Reid	Retain the Residential zoning of the property at 108 Horotiu Bridge Road, Horotiu.
FS1039.10	Colette Brown	Support

FS1313.33	Perry Group Limited	Support
FS1386.111	Mercury NZ Limited for Mercury C	Oppose
130.1	Kathleen Reid	Retain the Residential zoning of the property located at 6257 Great South Road, Horotiu.
FS1036.7	Brownie Investments Limited	Support
FS1039.3	Colette Brown	Support
FS1017.12	Gulab Bilimoria	Support
FS1017.17	Gulab Bilimoria	Support
FS1313.32	Perry Group Limited	Support
FS1379.29	Hamilton City Council	Oppose
FS1386.113	Mercury NZ Limited for Mercury C	Oppose
130.5	Kathleen Reid	Retain the Residential zoning of the property at 108 Horotiu Bridge Road, Horotiu.
FS1039.6	Colette Brown	Support
FS1386.115	Mercury NZ Limited for Mercury C	Oppose
131.1	Vanessa Gibson on behalf of Brownie Investments	Retain the Residential Zoning of the property at 6257 Great South Road, Horotiu.
FS1036.8	Brownie Investments Limited	Support
FS1039.12	Colette Brown	Support
FS1313.34	Perry Group Limited	Support
FS1379.30	Hamilton City Council	Oppose
FS1386.116	Mercury NZ Limited for Mercury C	Oppose
133.1	Simon Gibson	Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.
FS1036.5	Brownie Investments Limited	Support
FS1039.13	Colette Brown	Support
FS1313.35	Perry Group Limited	Support
FS1379.31	Hamilton City Council	Oppose
FS1386.117	Mercury NZ Limited for Mercury C	Oppose
137.1	Michele Gamble	Retain the proposed Residential zoning of the property located at 6257 Great South Road, Horotiu.

FS1036.4	Brownie Investments Limited	Support
FS1039.17	Colette Brown	Support
FS1313.36	Perry Group Limited	Support
FS1379.32	Hamilton City Council	Oppose
FS1386.118	Mercury NZ Limited for Mercury C	Oppose
138.1	Kim Crook	Retain the proposed Residential Zoning for the properties located at 6257 and 6263 Great South Road, Horotiu.
FS1036.3	Brownie Investments Limited	Support
FS1039.1	Colette Brown	Support
FS1379.33	Hamilton City Council	Oppose
FS1386.119	Mercury NZ Limited for Mercury C	Oppose
142.1	Daniel Miles	Amend the zoning of the property at 6061 Great South Road, Horotiu from Rural Zone to Residential Zone.
FS1379.34	Hamilton City Council	Oppose
FS1386.122	Mercury NZ Limited for Mercury C	Oppose
155.1	Karl Crook	Retain the proposed Residential Zoning at 6257 Great South Road, Horotiu.
FS1036.1	Brownie Investments Limited	Support
FS1039.15	Colette Brown	Support
FS1313.37	Perry Group Limited	Support
FS1379.37	Hamilton City Council	Oppose
FS1386.132	Mercury NZ Limited for Mercury C	Oppose
157.1	John Baillie	Retain the proposed Residential Zone at 6257 Great South Road, Horotiu.
FS1313.38	Perry Group Limited	Support
FS1379.38	Hamilton City Council	Oppose
FS1386.133	Mercury NZ Limited for Mercury C	Oppose
166.1	Reginald Briggs on behalf of Beverage Developments Ltd	Amend the zoning of the Rural Zoned land that is existing urban housing in the area around Park Road and 6000-6012 Great South Road Horotiu (the submission does not specify a suitable zone).
FS1379.41	Hamilton City Council	Oppose

FS1386.145	Mercury NZ Limited for Mercury C	Oppose
167.1	Roger Heaslip	Retain the proposed Residential Zoning of the property at 6257 Great South Road, Horotiu.
FS1313.39	Perry Group Limited	Support
FS1379.42	Hamilton City Council	Oppose
FS1386.146	Mercury NZ Limited for Mercury C	Oppose
187.2	Heather Parker on behalf of Warren & Heather Parker	Ensure the property opposite 24 Kernott Road, Horotiu is not made Residential.
FS1386.186	Mercury NZ Limited for Mercury C	Oppose
329.1	Richard Sun for The Coffee Club Te Rapa Service Centre	Retain the Residential Zone at the property owned by the Coffee Club Te Rapa Service Centre.
FS1386.388	Mercury NZ Limited for Mercury C	Oppose
388.3	Sonny Karena for Tangata Whenua Working Group	Retain the Proposed Residential zoning of the site with legal description of part Allotment 105 Horotiu Parish, Lot 6 DP 12221 and part Allotment 106, Horotiu Parish.
FS1379.102	Hamilton City Council	Oppose
FS1388.88	Mercury NZ Limited for Mercury C	Oppose
464.11	Perry Group Limited	Amend the zoning at properties Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 105 Horotiu Parish from Residential Zone to Business Zone (see submission for map of sites Marked Area A); AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1277.31	Waikato Regional Council	Oppose
FS1202.132	New Zealand Transport Agency	Oppose
FS1388.384	Mercury NZ Limited for Mercury E	Oppose
464.12	Perry Group Limited	Amend the zoning of part of the properties Allotment 106 Horotiu Parish and Section 2 SO 486608 from Rural Zone to Residential Zone (see submission for maps); AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1087.3	Ports of Auckland Limited	Oppose
FS1277.32	Waikato Regional Council	Oppose

FS1139.146	Turangawaewae Trust Board	Oppose
FS1202.114	New Zealand Transport Agency	Oppose
FS1379.184	Hamilton City Council	Oppose
FS1388.385	Mercury NZ Limited for Mercury E	Oppose
464.16	Perry Group Limited	Retain the Residential Zoning at Horotiu and Council's comprehensive approach to this zoning.
FS1388.388	Mercury NZ Limited for Mercury E	Oppose
578.24	Ports of Auckland Limited	Retain the planning maps for the Horotiu area, as notified.
FS1277.39	Waikato Regional Council	Oppose
FS1313.15	Perry Group Limited	Support
FS1388.844	Mercury NZ Limited for Mercury E	Oppose
578.25	Ports of Auckland Limited	Investigate rezoning the land to the south of Horotiu from "Rural Zone" to "Industrial Zone"; AND Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.
FS1277.40	Waikato Regional Council	Oppose
FS1313.16	Perry Group Limited	Support
FS1379.200	Hamilton City Council	Oppose
FS1388.845	Mercury NZ Limited for Mercury E	Oppose
606.8	Bill Wasley for Future Proof Implementation Committee	Amend 4.1.16 Policy - Horotiu and associated rules and maps, following a review of residential growth at Horotiu that is the result of the demand for industrial land and the need for further cross-boundary and infrastructure investigations.
FS1164.7	Tamara Huaki	Support
FS1182.9	Newstead Country Preschool	Support
FS1204.9	Christian & Natasha McDean	Support
FS1216.8	Newstead Residents Association	Support
FS1280.8	Dennis and Jan Tickelpenny	Support

FS1313.7	Perry Group Limited	Oppose
FS1087.17	Ports of Auckland Limited	Support
FS1183.12	Noel Gordon Smith	Support
FS1202.17	New Zealand Transport Agency	Support
FS1333.27	Fonterra Limited	Support
FS1379.210	Hamilton City Council	Support
606.15	Bill Wasley for Future Proof Implementation Committee	Amend Chapter 20 Industrial Zone, Chapter 21 Industrial Zone Heavy and the Planning Maps as a result of reviewing the amount of land zoned at Horotiu for industrial purposes and market demand; AND Any consequential amendments to any other relevant plan provisions.
FS1157.9	Gordon Downey	Not Stated
FS1183.6	Noel Gordon Smith	Support
FS1216.9	Newstead Residents Association	Support
FS1280.9	Dennis and Jan Tickelpenny	Support
FS1313.9	Perry Group Limited	Oppose
FS1149.13	Gavin Lovegrove and Michelle Peddie	Support
FS1149.14	Gavin Lovegrove and Michelle Peddie	Support
FS1164.13	Tamara Huaki	Support
FS1164.14	Tamara Huaki	Support
FS1182.11	Newstead Country Preschool	Support
FS1202.83	New Zealand Transport Agency	Support
FS1204.10	Christian & Natasha McDean	Support
FS1204.12	Christian & Natasha McDean	Not Stated
FS1223.121	Mercury NZ Limited	Support
622.1	Ken Williamson	Retain the proposed zone changes in the District Plan, with specific reference to Great South Road and Kernott Road, Horotiu: CT References 789960, SAC30C/689, 749406.
FS1387.15	Mercury NZ Limited for Mercury D	Oppose

FS1379.215	Hamilton City Council	Oppose
671.1	Jeremy Buxton	Amend all land within the greater Horotiu area currently zoned Country/Residential to be rezoned to Residential zone.
FS1087.21	Ports of Auckland Limited	Oppose
FS1277.43	Waikato Regional Council	Oppose
FS1379.229	Hamilton City Council	Oppose
FS1387.133	Mercury NZ Limited for Mercury D	Oppose
671.2	Jeremy Buxton	Retain all land in the greater Horotiu area currently zoned New Residential to be Residential Zone.
FS1017.13	Gulab Bilimoria	Support
FS1017.18	Gulab Bilimoria	Support
FS1379.230	Hamilton City Council	Oppose
FS1387.134	Mercury NZ Limited for Mercury D	Oppose
740.1	Colin Dixon on behalf of Dixon Family Trust	Amend the zoning of part of 139 Onion Road, Horotiu, from Rural Zone to Industrial Zone as shown on map attached to the submission.
FS1312.1	Northgate Industrial Park and Northgate Developments	Support
FS1277.49	Waikato Regional Council	Oppose
FS1379.282	Hamilton City Council	Oppose
FS1387.831	Mercury NZ Limited for Mercury D	Oppose
790.1	Northgate Developments Ltd & Northgate Industrial Park Ltd	Retain the Industrial zoning as notified of land within the Horotiu Industrial Park, Horotiu as per Planning Map 26.1, comprising: Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598). Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and the certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.
FS1313.1	Perry Group Limited	Support
FS1387.1239	Mercury NZ Limited for Mercury D	Oppose
790.2	Northgate Developments Ltd & Northgate Industrial Park Ltd	Amend the zoning of approximately 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353 (SA60D/2) from Rural to Industrial (see Attachment A to the submission for the extent of rezoning); OR

		Any further amendments as necessary to support the Northgate position.
FS1313.2	Perry Group Limited	Support
FS1202.99	New Zealand Transport Agency	Oppose
FS1277.50	Waikato Regional Council	Oppose
FS1108.188	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1379.325	Hamilton City Council	Oppose
FS1387.1240	Mercury NZ Limited for Mercury D	Oppose
839.1	Mark Woodham	Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.
FS1036.2	Brownie Investments Limited	Support
FS1039.19	Colette Brown	Support
FS1379.353	Hamilton City Council	Oppose
FS1387.1381	Mercury NZ Limited for Mercury D	Oppose
840.1	Colette Brown	Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.
FS1036.9	Brownie Investments Limited	Support
FS1379.354	Hamilton City Council	Oppose
FS1387.1382	Mercury NZ Limited for Mercury D	Oppose
966.1	Reginald Briggs	Amend Rural zoning of the pocket of houses bounded by Park Road and 6000-6012 Great South Road, Horotiu.
FS1277.98	Waikato Regional Council	Oppose
FS1379.372	Hamilton City Council	Oppose

8.2 Analysis

8.2.1 Retention, modification, or extension of the notified Residential Zone

181. Warren Allen [95.1], Carmen Allen [96.1], Trevor Reid [128.1 & 128.3], Kathleen Reid [130.1 & 130.5], Brownie Investments [131.1], Simon Gibson [133.1], Michele Gamble [137.1], Kim Crook [138.1], Karl Crook [155.1], John Baillie [157.1], Roger Heaslip [167.1], The Coffee Club Te Rapa Service Centre [329.1], Tangata Whenua Working Group [388.3], Perry Group Limited [464.16], Ports of Auckland [578.24], Ken Williamson [622.1], Jeremy Buxton [671.2], Mark Woodham [839.1] and Colette Brown [840.1] seek to retain the Residential zoning in Horotiu as notified.

182. Planning evidence by Mr Fraser McNutt on behalf of Brownie Investments [131.1] is the only submitter to provide evidence in support of their original submission. Mr McNutt's evidence is in support of the proposed zoning of 6257 Great South Road, Horotiu from Country Living zone (with Horotiu Acoustic Amenity Overlay) to Residential Zone. In his view, the proposed rezoning is in keeping with the strategic direction set out within the Future Proof Strategy, Waikato 2070, the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan, and the PDP, as it will enable efficient use of land within the village limits and in close proximity to Hamilton. Mr McNutt also considers that the subject site is sufficiently separated from existing industrial areas and any potential for reverse sensitivity will be managed through the proposed Acoustic Area (Horotiu) Overlay³⁰. I agree with Mr McNutt's conclusions.
183. I also note that the planning evidence of Ms Laura Galt on behalf of Hamilton City Council advises that HCC now support the retention of the Residential Zone in Horotiu as notified.
184. Warren and Heather Parker [187.2] request that the property opposite 24 Kernott Road not be rezoned for residential purposes due to the number of borrow pits across the site and that the land should be protected as an area of significance. Given that no evidence has been provided in support of this submission there is insufficient information available to justify the removal of the Residential Zone in this location. As such, I recommend that this submission point be rejected.
185. On the basis that no changes to the Residential Zone in this area are recommended, I consider that those submission points outlined in paragraph 181 above be accepted.

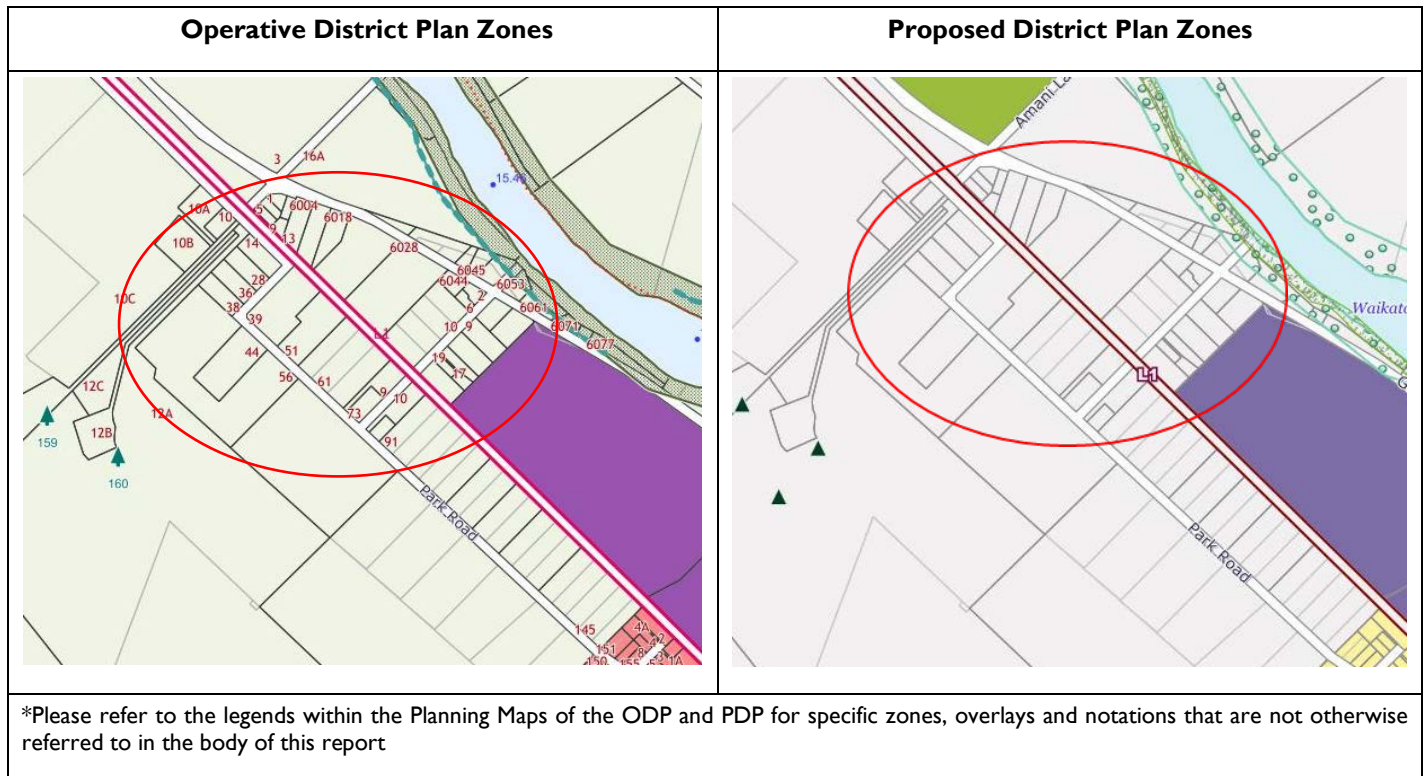
8.2.2 Rezoning from Country Living to Residential Zone

186. Jeremy Buxton [671.1] requests that all land within the greater Horotiu area that is currently zoned Country Living be rezoned to Residential. Apart from mentioning that this rezoning proposal would comprise a better use of available land within close proximity to existing infrastructure and amenities, no assessment has been provided as to the potential impact of this request.
187. Planning evidence from Mr Mark Arbuthnot on behalf of Ports of Auckland Ltd reinforces this further submitter's opposition to the relief sought by Mr Buxton. It is noted that Mr Arbuthnot considers that the rezoning of the land sought by the submitter is not required to give effect to the medium-term development capacity requirements of the NPS-UD and that any additional land zoned for residential purposes would need to be subject to the provisions of the "Horotiu Acoustic Overlay" to minimise reverse sensitivity effects on Horotiu Industrial Park.
188. In the absence of any evidence to demonstrate how this (potentially large area of) land could be developed or serviced by network infrastructure, or assessed in terms of its potential effect on the surrounding environment, including reverse sensitivity effects on industrial activities, adjoining rural land or the local roading network, it is not considered that the rezoning request would give effect to the development principles contained in Section 6A of the WRPS. It is also noted that while it appears that there may be scope for additional growth within the urban limit outlined in Future Proof 2017, no further residential growth beyond that already identified in the PDP has been signalled in the Horotiu Structure Plan or Waikato 2070. As such, it does not appear that additional development capacity is required to give effect to the NPS-UD in this location. I therefore recommend that this submission point be rejected.

³⁰ Evidence of Mr Fraser McNutt, paragraphs 1.8-1.11

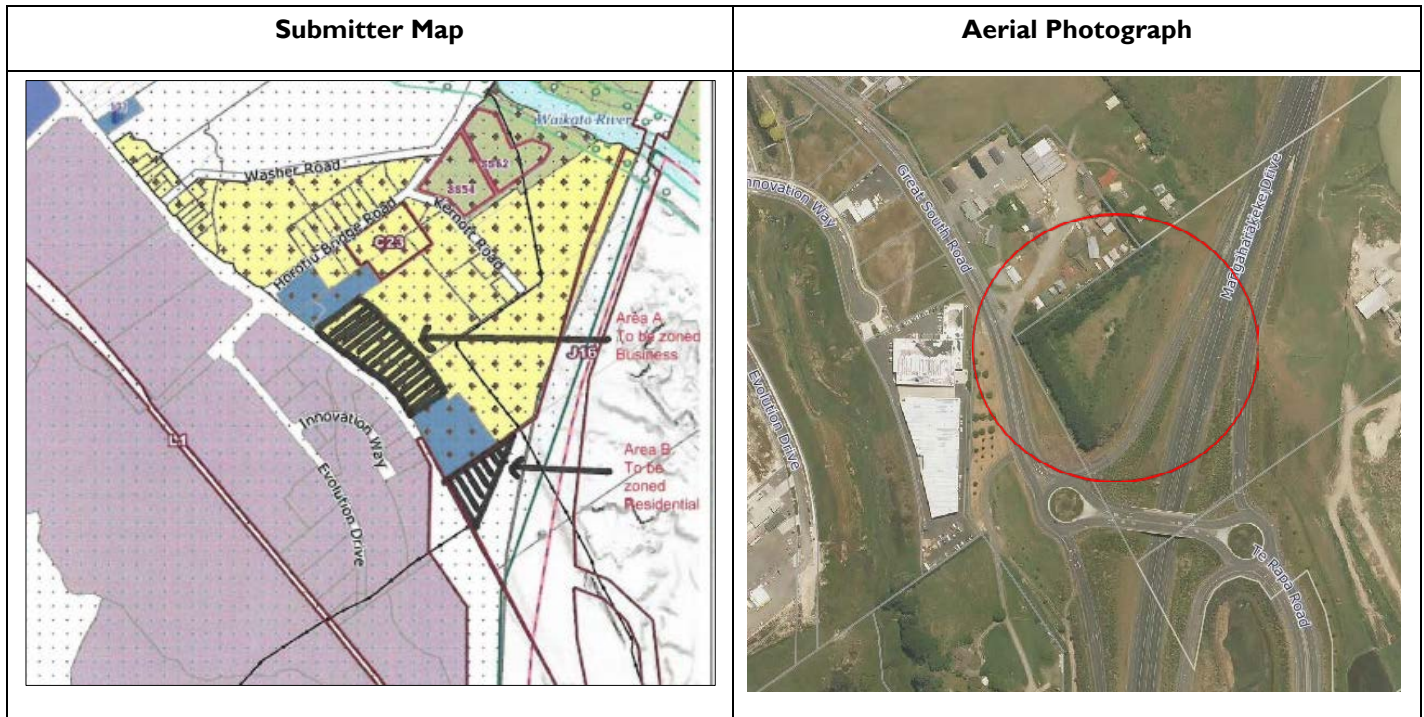
8.2.3 Rezoning from Rural to Residential Zone

189. Daniel Miles [142.1] seeks to amend the zoning of the property at 6061 Great South Road, Horotiu from Rural Zone to Residential Zone. Similarly, Beverage Developments Ltd [1661.1] and Reginald Briggs [966.1] request that the rural zoning of the existing houses in the area around Park Road and 6000-6012 Great South Road is amended (presumably to a Residential Zone, although the submission does not state which zone). The indicative location of these properties is shown on the map below by the red circle. No submitter evidence has been provided in support of these submission points.



190. While there are a number of existing dwellings and established commercial activities in this locality, it is not situated inside any future residential growth area identified in the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan or Waikato 2070. However, properties on the northeastern side of the NIMT appear to be within the indicative village limit of Future Proof 2017. Notwithstanding that this land may be suitable for intensification at some time in the future, as envisaged by Future Proof 2017, in my view, it will exacerbate ribbon development along Great South Road and further erode the urban/rural delineation between Horotiu and Ngaruawahia. It is also recognised that based on current population projections, and the location and timing of development indicated in Waikato 2070, this land is not currently required to accommodate additional households to satisfy NPS-UD requirements.
191. For these reasons and considering that the submitters have not provided any evidence to demonstrate how a Residential Zone in this location could be developed in a comprehensive manner, including provision of reticulated servicing, access to the roading network and adequate mitigation of potential reverse sensitivity effects on industrial activities and strategic network infrastructure, I do not consider that these rezoning requests give effect to the outcomes sought in Section 6A of the WRPS. I therefore recommend that these submission points be rejected.

192. Perry Group Limited [464.12] seek to amend the zoning of part of the properties Allotment 106 Horotiu Parish and Section 2 SO 486608 from Rural Zone to Residential Zone, as shown as “Area B” on the map below (contained in submission). An aerial photograph also shows the location of the site below (marked with a red circle). This triangular shaped piece of land is zoned Rural under both the ODP and PDP and appears to be part of the State Highway 1 designation. The submitter has provided planning evidence from Mr Aaron Collier in support of this rezoning request.



193. As evident in the aerial photograph above, the 1.3ha area of land sought to be rezoned for residential purposes is bordered by road on two sides, including a slip lane onto the Waikato Expressway, a Business Zone on the other side, and is in close proximity to an Industrial Zone and the interchange of Great South Road and State Highway 1.
194. Mr Collier states that having reviewed the technical assessments associated with the Kernott Road Residential Zone, there is no technical reason as to why the land could not be rezoned and be suitable for future residential development. He also notes that the reason for why this land may have been excluded from the Residential Zone may have been that it was under NZTA control at the time the PDP was prepared and was to be “road”. Overall, Mr Collier concludes that the minor change sought by the submitter to incorporate a further approximate area of 1.3ha adjacent to the existing Residential Zone is consistent with the PDP’s policy framework³¹.
195. The evidence of Mr Wood for Waka Kotahi responds to this submission point by advising:
- ...that the section of land identified (approximately 1.3 ha) is still owned by Waka Kotahi and no decision has been made as to the timing of disposing of this land. I have been further advised that there are constraints on this land which have not been identified in the submitter’s planning evidence. These constraints include outstanding stormwater drainage issues to be resolved between Waka Kotahi and Perry Group Limited. Waka Kotahi’s noise expert, Dr Stephen Chiles has also advised that road noise effects will be worse than usual on this land*

³¹ Evidence of Mr Aaron Collier, paragraphs 3.1 & 4.12

due to the braking/accelerating in this location from the Horotiu Interchange intersection. If at a later date these matters are resolved to Waka Kotahi's satisfaction, a discrete plan change and/or consenting process could be undertaken. I would not expect issues of rural fragmentation and loss of productive soils (typically the main impediment to residential use in rural areas) to be a planning impediment due to the land being isolated and essentially within an urban setting. On the basis set out above, I oppose the rezoning sought in this submission.

196. The planning evidence from Mr Mark Arbuthnot on behalf of Ports of Auckland Ltd also addresses this submission point, reiterating this further submitter's opposition to the relief sought. For the same reasons as outlined above in relation to Mr Buxton's submission, Mr Arbuthnot considers that the rezoning of the land sought by the submitter is not required to give effect to the medium-term development capacity requirements of the NPS-UD and that any additional land zoned for residential purposes would need to be subject to the provisions of the "Horotiu Acoustic Overlay" to minimise reverse sensitivity effects on Horotiu Industrial Park.
197. Conversely, the planning evidence of Ms Laura Galt on behalf of Hamilton City Council advises that HCC now support the Perry Group rezoning proposal on the basis that it is locked by roads, including the WEX and other urban zoning, while noting that it appears to still form part of WEX designation J16³².
198. Having regard to the evidence of further submitters, I share the concerns raised by Mr Wood and Mr Arbuthnot that while this land remains in the ownership of Waka Kotahi, the rezoning of this small isolated triangular-shaped allotment would not create a well-functioning urban environment. In my view, it would be difficult to successfully mitigate the potential noise effects from Horotiu Interchange intersection, particularly due to its irregular shape, and it would also be challenging to achieve a reasonable level of residential amenity given the close proximity of commercial and industrial land uses. While I recognise that the site appears to be within the indicative Horotiu residential growth area in both Waikato 2070 and Future Proof 2017, it is not located within the urban boundary of the Horotiu Structure Plan, which represents a more fine-grained analysis. Overall, I am not satisfied that the rezoning request for this site would achieve the development principles outlined in Section 6A of the WRPS. For these reasons, I recommend that this submission point be rejected.
199. In addition, I note that while a business zoning over this property may be more compatible with surrounding land uses, there is no submission seeking this relief, nor is there is sufficient scope (or evidence) to support a Future Urban Zone as part of the current District Plan Review process.

8.2.4 Rezoning from Residential to Business Zone

200. Perry Group Limited [464.11] also sought to amend the zoning of the Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 105 Horotiu Parish from Residential Zone to Business Zone, as shown as 'Area A' in the previous map (see paragraph 192). However, the evidence of Mr Collier advises that the submitter no longer wishes to pursue this submission point. On this basis, and in the absence of any other information to support this rezoning request, I recommend that the residential zoning of 'Area A' be retained and that this submission point be rejected.

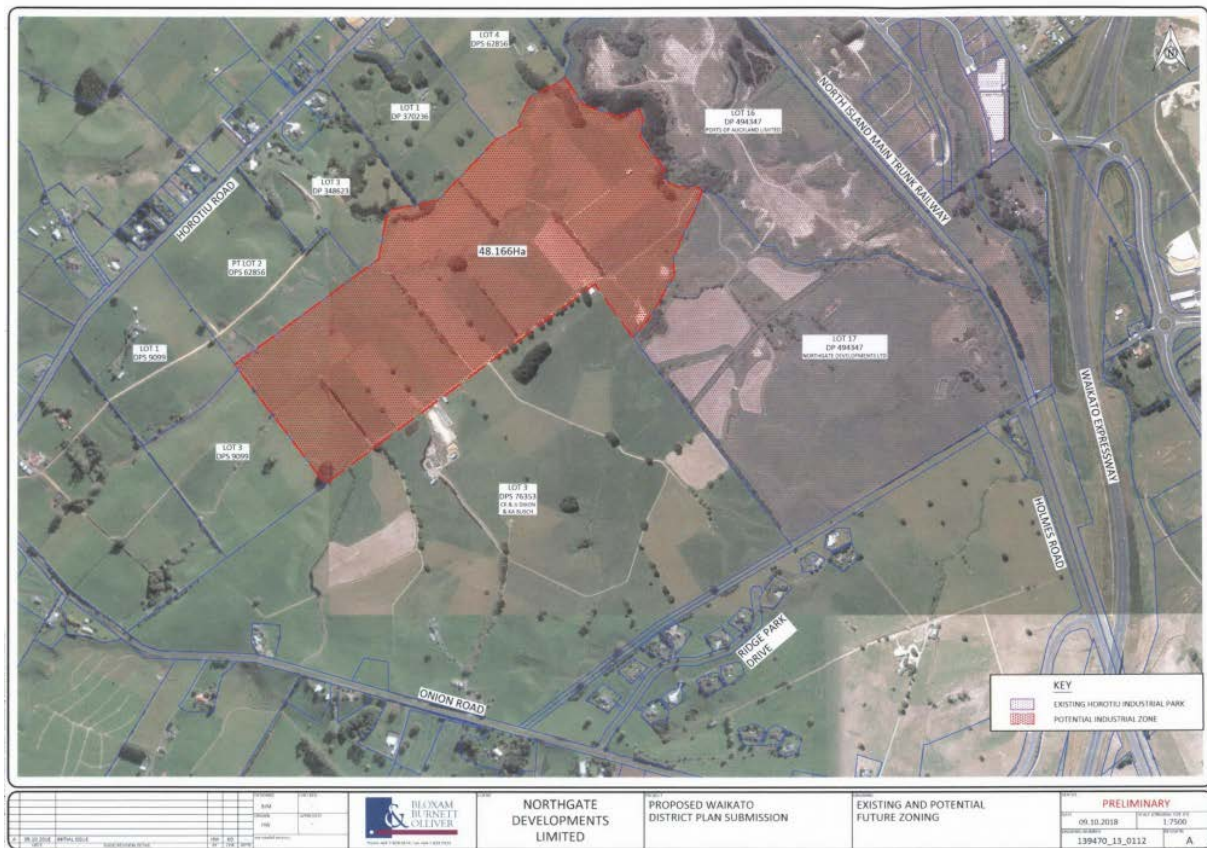
8.2.5 The retention of, or extension to the Industrial Zone

201. General submissions from Ports of Auckland [578.25] and Future Proof Implementation Committee [606.8 and 606.15] refer to undertaking a review of the supply and demand of industrial at Horotiu and the potential for additional land to be rezoned Industrial. No detailed evidence has been provided in support of these submission points to further articulate any

³² Evidence of Ms Laura Galt, paragraph 48

specific changes requested. On the basis that WDC will continue to monitor the supply and demand of industrial land across the district as part of fulfilling their NPS-UD requirements, any requirement to change the PDP to enable more opportunities for the uptake of industrial land can be addressed by way of variation or plan change at that time. As such, it is recommended that these submission points be rejected.

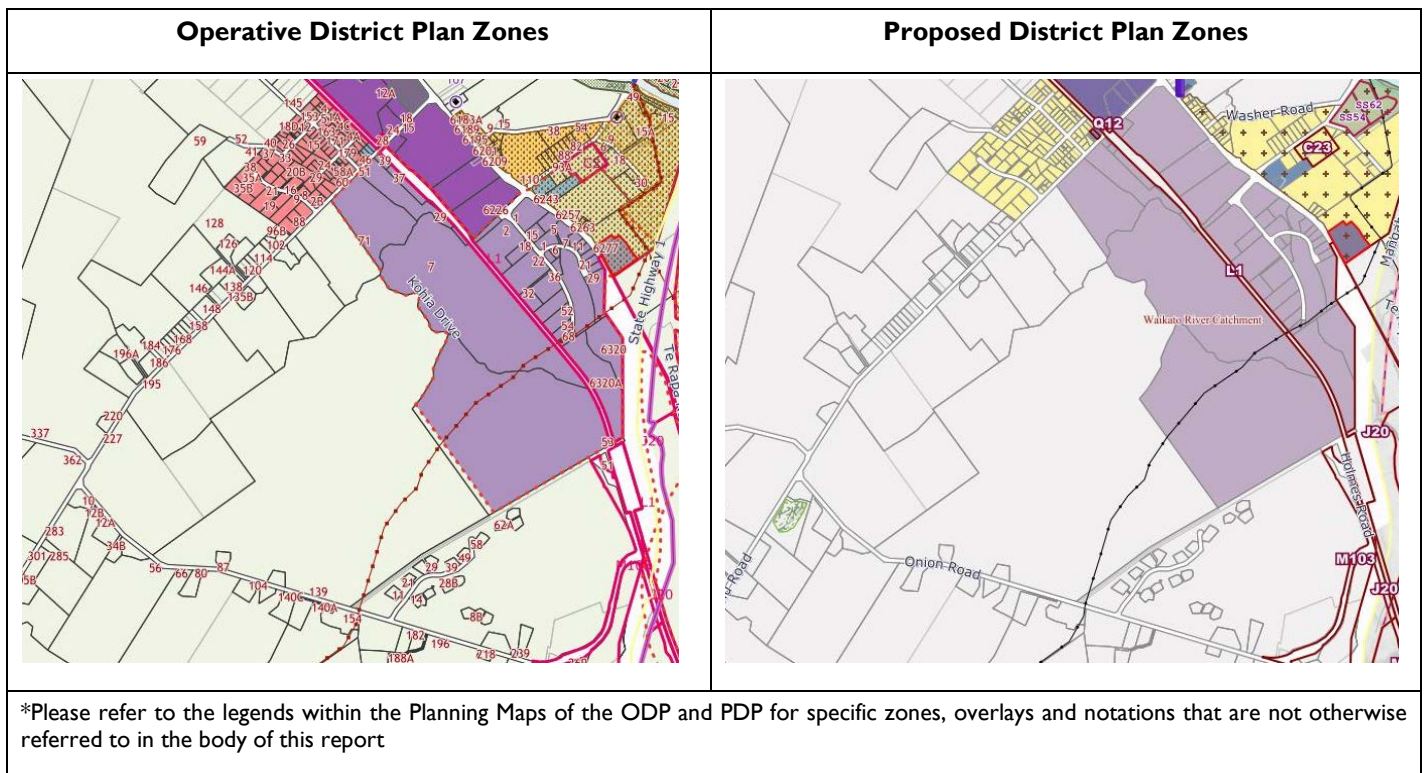
202. Northgate Developments Ltd & Northgate Industrial Park Ltd [790.1] seek to retain the Industrial zoning as notified of land within the Horotiu Industrial Park, while also requesting [790.2] the rezoning of approximately 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353 (SA60D/2) from Rural to Industrial, as shown on the map below (contained in the submission). No submitter evidence has been provided in support of this submission point.



203. In addition, the Dixon Family Trust [740.1] seek to amend the zoning of part of 139 Onion Road, Horotiu, from Rural Zone to Industrial Zone as shown on the following map attached to their submission. No submitter evidence has been provided in support of this submission point.



204. The zoning of these properties under both the ODP and PDP is shown on the map below.



205. In addressing the above submission points, it is recognised that the Horotiu Industrial Park is identified in the WRPS as a strategic industrial node and this status is reflected in Future Proof 2017, Waikato 2070 and the Horotiu Structure Plan. Additional industrial development

capacity to the southwest of the current Industrial Zone has been identified in both Waikato 2070 and Future Proof 2017. Rezoning of this land would therefore be consistent with the general direction of growth anticipated in the higher order documents.

206. The submissions by Northgate Developments Ltd and Northgate Industrial Park Ltd [790.2] and the Dixon Family Trust [740.1] to rezone land for industrial purposes is consistent with this location. However, no evidence has been provided in support of these rezoning requests. In the absence of detailed information to demonstrate how this land could be developed in a comprehensive manner, including matters such as the type and location of industrial activities, provision of reticulated servicing, impacts on the roading network, stormwater management, protection of any significant values or features, visual mitigation of the industrial/rural interface, geotechnical stability and the extent of earthworks, I am unable to conclude that the rezoning requests will give effect to the development principles contained in Section 6A of the WRPS. In addition, I note that the absence of such supporting evidence does not accord with both the Panel's direction dated 12 May 2020 and the WRPS Policy 6.1.8 regarding the matters to be assessed when contemplating district plan rezoning requests for new urban development. I therefore recommend that these submission points be rejected.
207. It is also noted that as I have not made any recommendations to change the Industrial Zone as notified, I recommend that the submission by Northgate Developments Ltd & Northgate Industrial Park Ltd [790.1] be accepted.

8.3 Recommendations

208. For the reasons above I recommend that the Hearings Panel:
- (a) **Accept** submission points by Warren Allen [95.1], Carmen Allen [96.1], Trevor Reid [128.1 & 128.3], Kathleen Reid [130.1 & 130.5], Brownie Investments [131.1], Simon Gibson [133.1], Michele Gamble [137.1], Kim Crook [138.1], Karl Crook [155.1], John Baillie [157.1], Roger Heaslip [167.1], The Coffee Club Te Rapa Service Centre [329.1], Tangata Whenua Working Group [388.3], Perry Group Limited [464.16], Ports of Auckland [578.24], Ken Williamson [622.1], Jeremy Buxton [671.2], Mark Woodham [839.1] and Colette Brown [840.1] and Northgate Developments Ltd & Northgate Industrial Park Ltd [790.1]
 - (b) **Reject** submission points by Warren & Heather Parker [187.2], Jeremy Buxton [671.1], Daniel Miles [142.1], Beverage Developments Ltd [1661.1], Reginald Briggs [966.1], Perry Group Limited [464.11 & 464.12], Ports of Auckland [578.25], Future Proof Implementation Committee [606.8 & 606.15], Northgate Developments Ltd & Northgate Industrial Park Ltd [790.2] and Dixon Family Trust [740.1]

8.4 Recommended amendments

209. Nil.

8.5 Section 32AA evaluation

210. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

9 Taupiri

9.1 Submissions

211. The two submission points requesting the rezoning of land at Taupiri relate to the Taupiri Village Expansion Area (TVEA), which adjoins the southern boundary of the existing village; and a smaller property at 129 Great South Road.

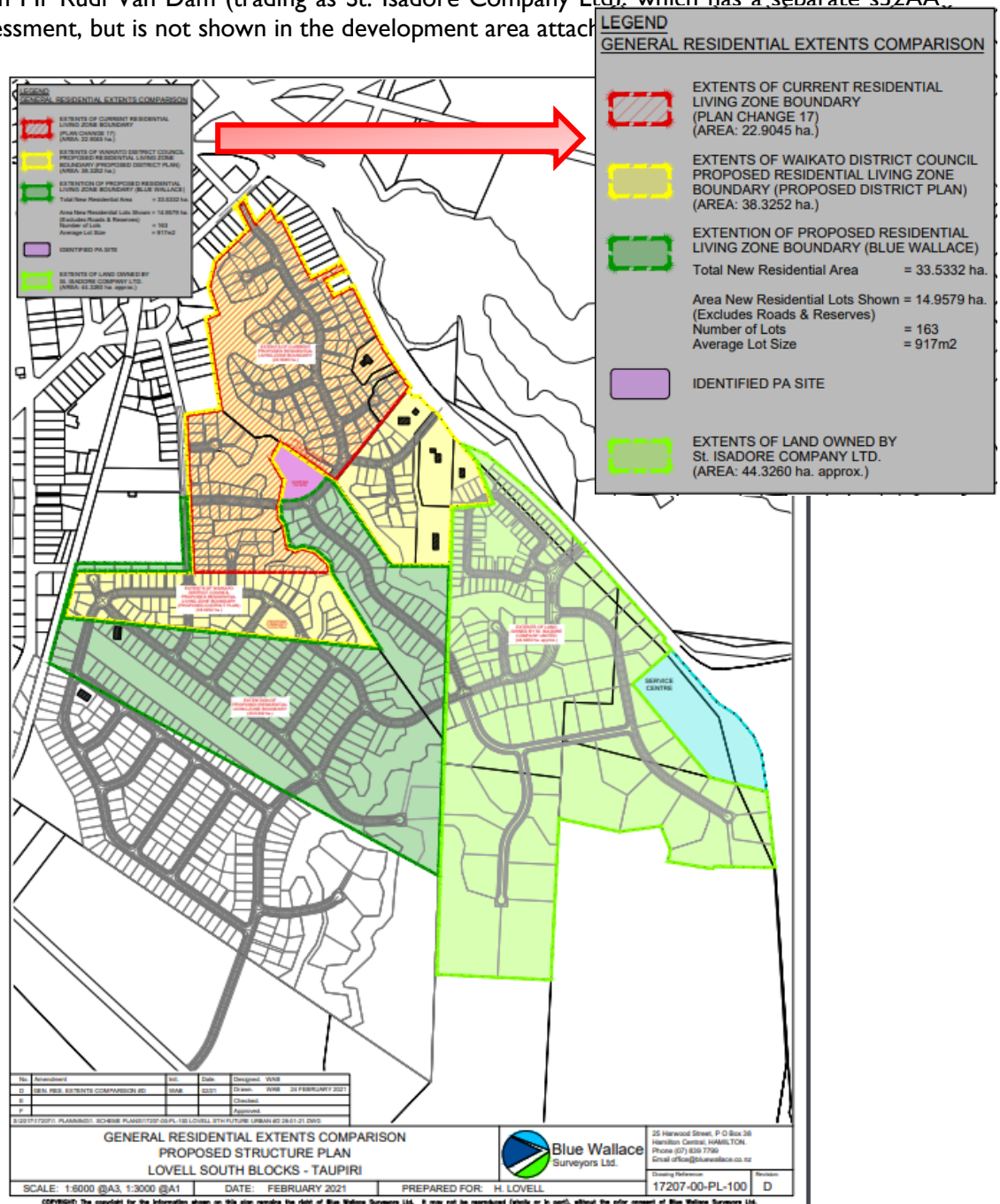
Submission point	Submitter	Decision requested
805.1	Howard Lovell and Rudi Van Dam	Amend the zoning of land in Taupiri, located between Gordon Road (State Highway 1B) on the eastern boundary, Te Putu Street and Murphy Lane, the North Island Main Trunk Rail Line to the east and Great South Road to enable urban growth and development (see submission for map of area and indicative concept plans).
FS1109.2	St Isadore Company Limited	Support
FS1108.156	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1139.141	Turangawaewae Trust Board	Oppose
FS1277.116	Waikato Regional Council	Oppose
FS1379.337	Hamilton City Council	Oppose
FS1387.1297	Mercury NZ Limited for Mercury D	Oppose
974.1	Tim Lester for Blue Wallace Surveyors Ltd on behalf of Howard Lovell	Amend the zoning for the property at 129 Great South Road, Taupiri (Pt Lot 2 DP24220) from Rural Zone to Residential Zone.
FS1272.17	KiwiRail Holdings Ltd	Oppose
FS1277.117	Waikato Regional Council	Oppose
FS1379.376	Hamilton City Council	Oppose

9.2 Analysis

9.2.1 Taupiri Village Expansion Area (TVEA)

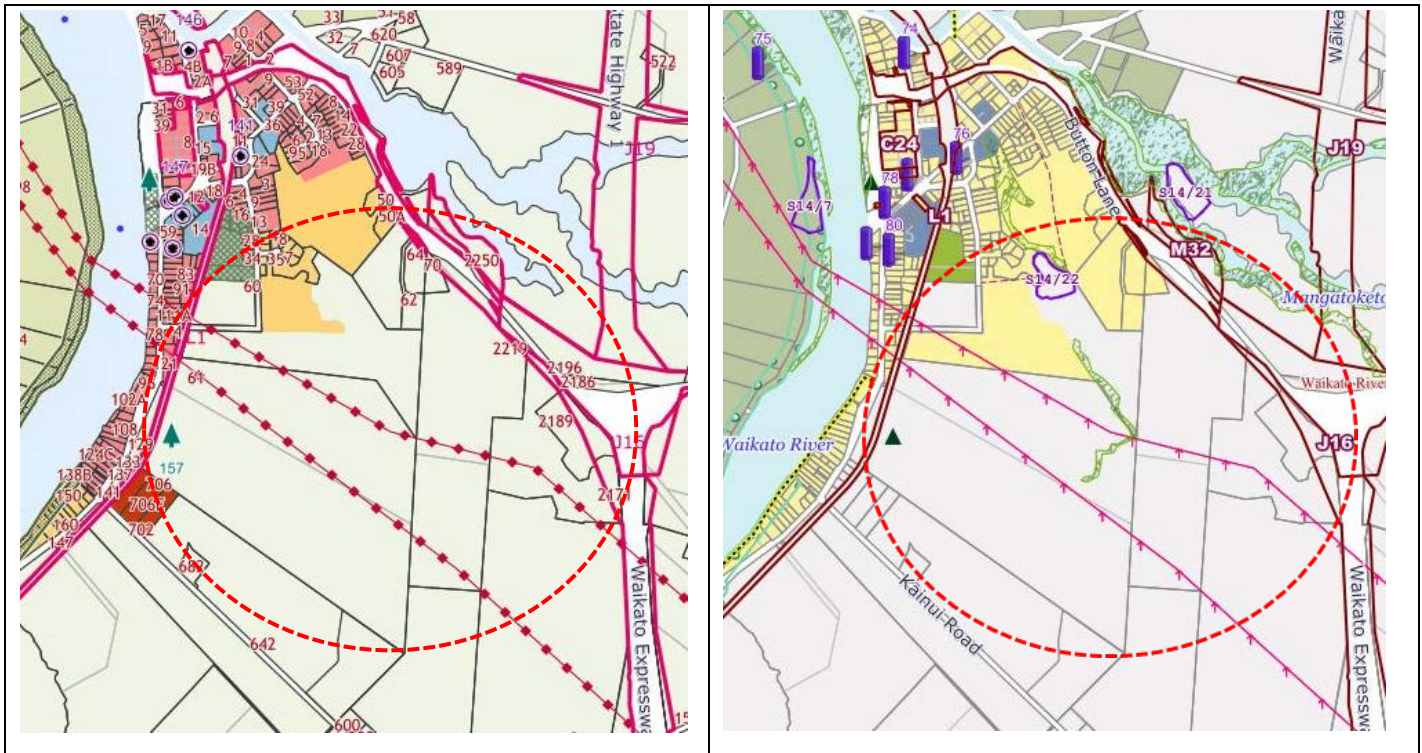
212. Howard Lovell and Rudi Van Dam [805.1] seek to amend the zoning of land in Taupiri, located between Gordonton Road (State Highway 1B) on the eastern boundary, Te Putu Street and Murphy Lane, the North Island Main Trunk Rail Line to the east and Great South Road to enable urban growth and development, as shown on the map below (contained in the s32AA report addendum, which includes the land owned by St. Isadore Company Ltd).
213. The rezoning request is supported by planning evidence from Mr Tim Lester. However, it is unclear whether this evidence only relates to that part of the site owned by Mr Howard Lovell,

or whether it is intended to also relate to the adjoining site subject to the submission point from Mr Rudi Van Dam (trading as St. Isadore Company Ltd), which has a separate s32AA assessment, but is not shown in the development area attach



214. The zoning of these properties under both the ODP and PDP is shown on the map below (extent of area shown with a dashed red circle).

Operative District Plan Zones	Proposed District Plan Zones
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*Please refer to the legends within the Planning Maps of the ODP and PDP for specific zones, overlays and notations that are not otherwise referred to in the body of this report

215. Mr Lester notes that within the TVEA area, 23ha is zoned 'New Residential' under the ODP, an additional 38.3ha has been rezoned to Residential under the PDP, and the "effect of the TVEA is that a total area of approximately 95ha of residential land will be provided for to the south of the current Taupiri township". The rezoning of the St. Isadore Company Ltd land would add another 44.3ha of land to the 'TVEA'. Mr Lester also advises that the submitter (Mr Lovell) has applied for the creation of approximately 90 residential allotments to the north of the TVEA and within land zoned as New Residential. The creation of such residential allotments has included consideration of structure planning, infrastructure provision, gully area rehabilitation and setbacks, cultural and ecological significance and transportation network integration³³.
216. The land subject to Mr Lovell's rezoning request is located within the indicative Village Limits of Future Proof 2017 and identified as a residential growth area in Waikato 2070, comprising both low density residential and lifestyle allotments over a 10 to 30-year timeframe. The land owned by St. Isadore Company Ltd does not appear to be within the urban growth area of Future Proof 2017. However, Waikato 2070 indicates that this land may be suitable for commercial and industrial development. The Taupiri Structure Plan does not indicate that either of the submitters' properties is required to provide for the projected housing or business needs of the community for at least the next 15 years and describes the growth that is shown as a 'generous margin' of potential development capacity.
217. Waikato Regional Council's planning evidence, prepared by Ms Miffy Foley, advises that WRC would support a Future Urban Zone for the site as the Hamilton to Auckland Metropolitan Spatial Plan (MSP) identifies the area for further investigation. Ms Foley also notes that:

³³ Evidence of Tim Lester, paragraphs 4.6-4.7

- *Future urban zone will allow for preparation of a structure plan for the area and consideration of infrastructure provision.*
 - *Located partly within and adjacent to the Waikato Central drainage scheme so would need to ensure that stormwater reticulation of any development would not impact on the existing land drainage area.*
 - *Taupiri is identified as a potential long-term industrial location on the village-side of the Waikato Expressway, and for potential further residential growth in the existing village.*
 - *This will be subject to further work to determine how this would connect with and complement growth in the Ngaaruawaahia/Hopuhopu area.*
218. The s32AA Further Evaluation Report prepared for Mr Lovell's rezoning request includes a high-level assessment of how this land could be serviced in terms of reticulated water, wastewater and stormwater management, which will necessitate an integrated catchment-wide approach. Mr Lester also advises that the TVEA, as sought, can be accommodated through the continuation of transportation corridors that have been constructed to the north of the area (Taraheke Drive), and within the section of the submitter's land that is currently zoned New Residential. He also notes that transportation engineers have been engaged in relation to their current development of zoned land. However, it does not appear that an integrated transport assessment has been carried out for the area sought to be rezoned³⁴. There is also little information provided with respect to how the development will respond to areas of cultural and ecological significance, or reverse sensitivity effects on Transpower's national grid that traverses the site. In addition, I note that the proposed subdivision layout, which forms the basis for the s32AA evaluation relies on the use (and integrated development) of the adjoining land owned by St. Isadore Company Ltd, which sits outside the growth area identified in Future Proof 2017. I therefore consider that there is currently insufficient evidence available to adequately assess the appropriateness of this rezoning request in the context of the WRPS general development principles in Section 6A.
219. With respect to the s32AA Further Evaluation Report Addendum that includes land owned by St. Isadore Company Ltd, I consider that there is even less certainty as to the potential development outcomes and associated environmental effects arising from the proposed residential development of this land than that supporting Mr Lovell's submission. In particular, I note that while Mr Lester has provided a high-level assessment of how development could occur, and identifies the potential range of environmental effects, there is absence of detailed technical reports to support the inclusion of an urban growth area that sits outside Future Proof 2017. It is also recognised that Waikato 2070 has earmarked this land for future commercial and industrial activities, rather than residential.
220. For these reasons I do not support the 'live-zoning' of any part of the site, particularly the land that sits outside Future Proof 2017 owned by St. Isadore Company Ltd. There is, however, the potential to zone that part of the site owned by Mr Lovell to Future Urban Zone (FUZ). As noted in Mr Cleese's s42A 'Future Urban Zone and Residential Medium Density Zone Report', where potential growth areas meet wider policy criteria for future urbanisation but are not required to provide capacity in the short term, no structure plan/details are in place and the growth area is held across a number of landowners, and/or there is no certainty regarding the provision of trunk infrastructure, then the FUZ framework is available as a zoning tool. The benefit of a FUZ is that it maintains urban development potential (i.e. avoids activities such as intensive farming and quarries), signals to landowners and the community that their land is appropriate, in principle, for urbanisation, provides a clear process by which

³⁴ The transport peer review undertaken by Beca (see Appendix 3) advises that the traffic and transport effects of the TVEA request could be more than minor and therefore more specific and detailed evidence would be required before the rezoning request can be approved.

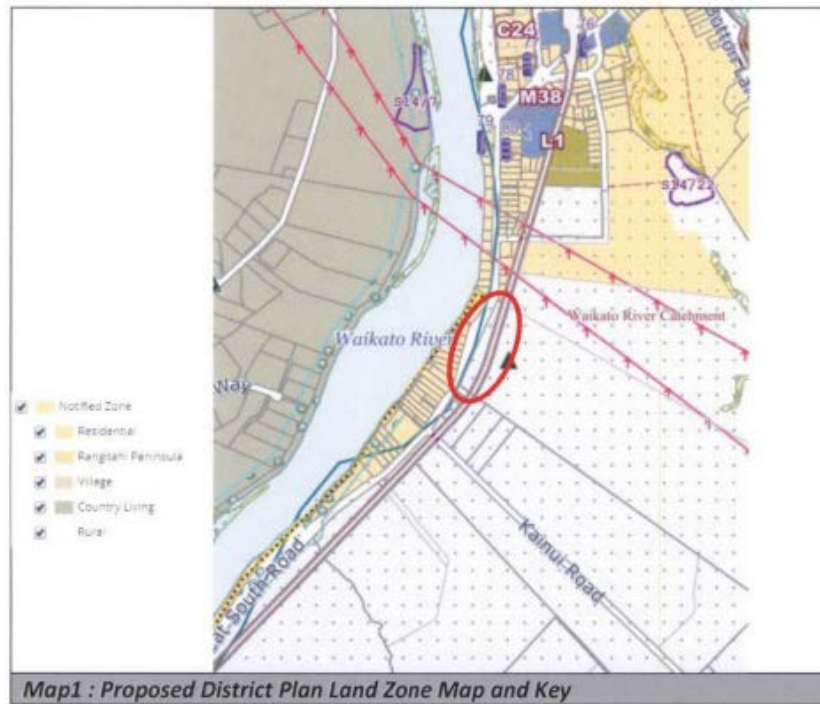
structure plans can be developed, and provides certainty for informing the funding of infrastructure as part of the 2024-2034 or 2027-2037 LTP processes³⁵. I note that this option is supported in the planning evidence of WRC.

221. Notwithstanding, I am cognisant that the rezoning of an additional 33.5ha on top of the 38.3ha already rezoned through the notification of the PDP constitutes a significant expansion of Taupiri Village. The impact of such growth has not been considered in the context of how this may affect or integrate with the wider township, including any future urban growth on the adjoining St. Isadore Company Ltd, or at a finer-grained level of analysis as has occurred through the 'Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan' process. In addition, I note while the PDP Policy 4.1.14 (which is specific to urban growth at Taupiri) refers to the likelihood of increased demand for housing and that future development to the south of the existing village should be provided for, these policies appear to be based on the settlement pattern shown in the Taupiri Structure Plan. This is primarily because the last part of this policy explicitly refers to the establishment of the necessary infrastructure, including roads, parks, and pedestrian and cycle networks being developed in accordance with the Structure Plan.
222. I am also mindful that in rezoning that part of Mr Lovell's land, subject to the submission to a FUZ, would cover only part of the land comprising this potential growth cell and would not secure the wider connections to the south or east as shown on the indicative development plan contained in Mr Lester's evidence. On balance, I consider that while a FUZ could be applied to that part of Mr Lovell's land, subject to this submission, it would be preferable if this zoning was applied to the whole of the growth area identified in Future Proof 2017 and Waikato 2070 to ensure that the future development of this area occurred in a planned and integrated manner across multiple landowners, as required by Policy 6.1 of the VRPS. For these reasons, I recommend that submission point 805.1 be rejected.

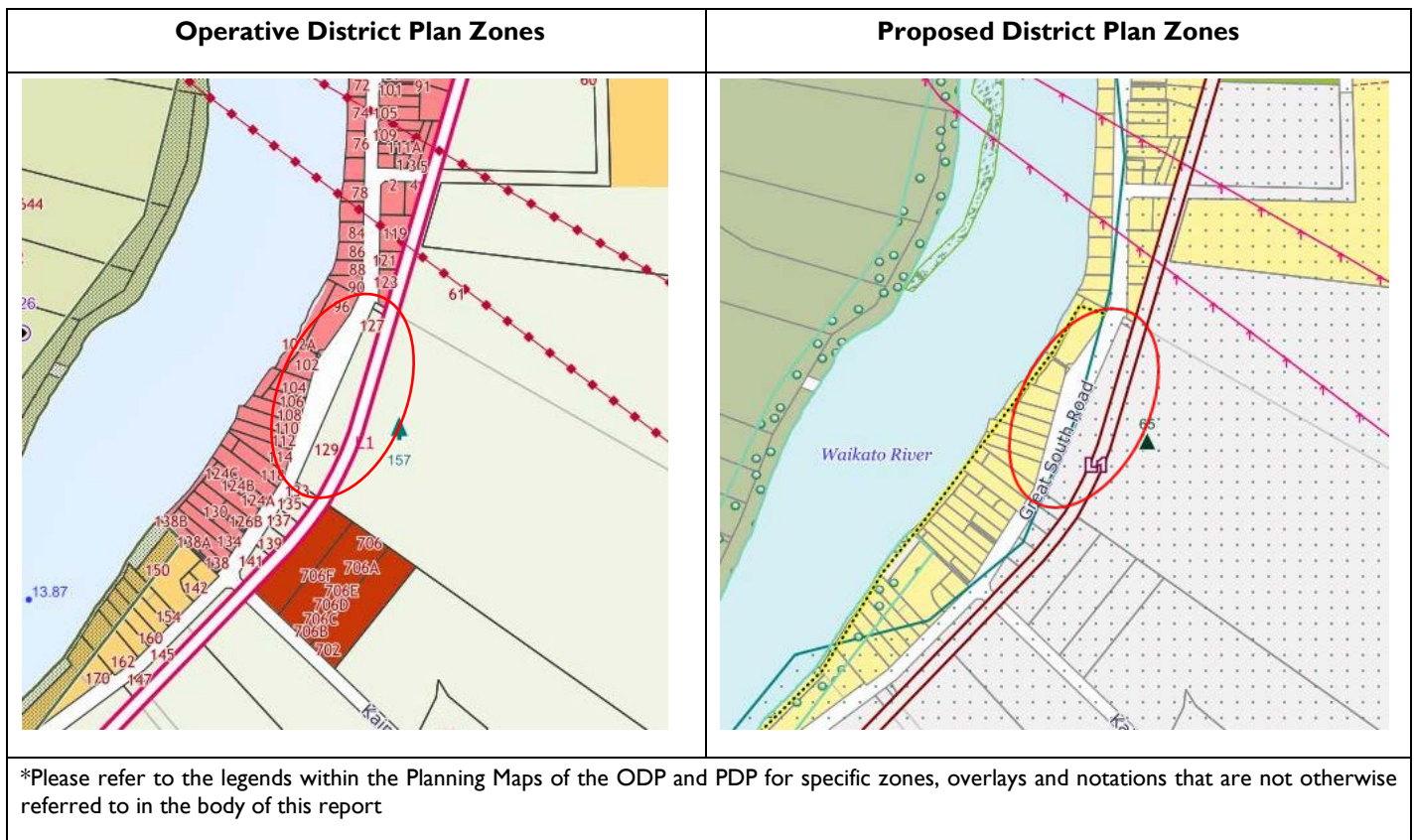
9.2.2 129 Great South Road, Taupiri

223. Howard Lovell [974.1] seeks to amend the zoning of the property at 129 Great South Road from Rural to Residential, as shown on the map below (contained in the original submission). I note that Mr Lester has also provided planning evidence in support of this submission point, but refers to the site address as 127 Great South Road – I assume that both street addresses apply to the same piece of land.

³⁵ S42A 'Future Urban Zone and Residential Medium Density Zone Report', paragraph 17

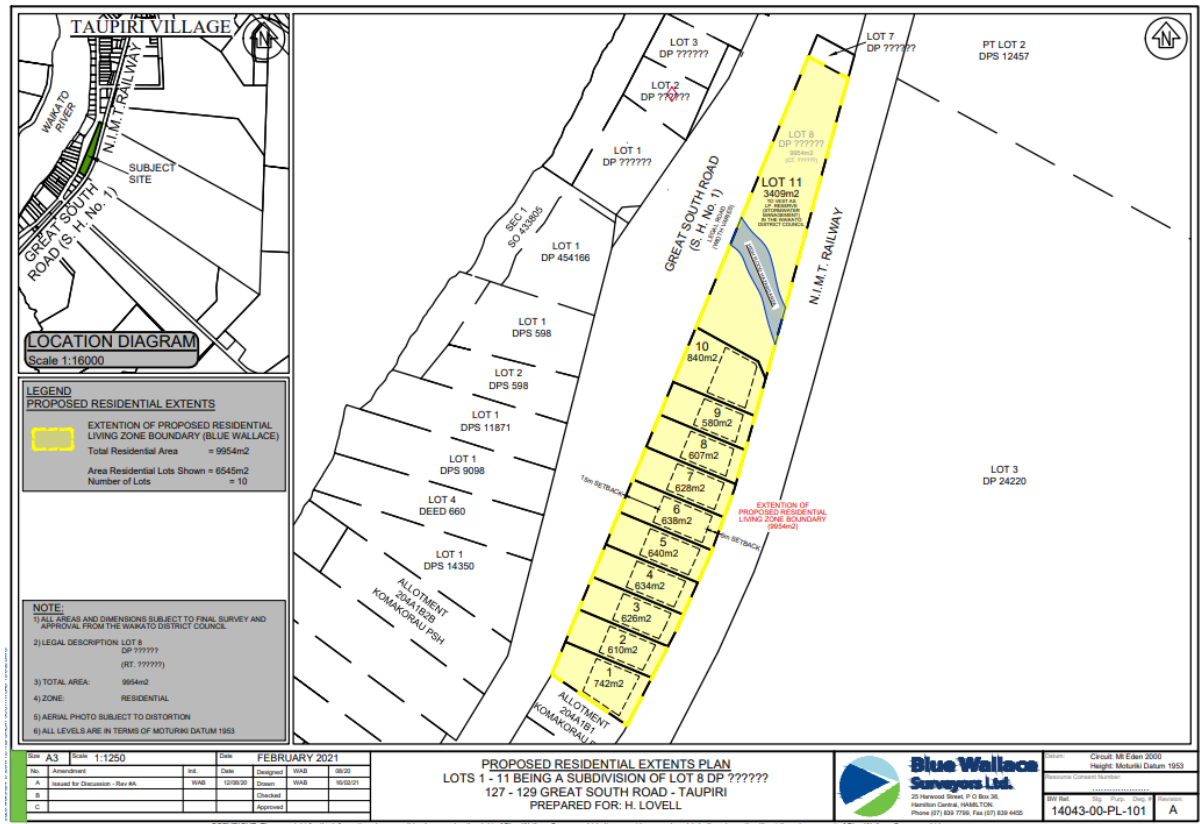


224. The zoning of this property under both the ODP and PDP is shown on the map below (extent of area shown with a red circle).



225. Mr Lester's evidence contains the following subdivision plan to demonstrate how up to 10 residential allotments (ranging in size from 607m² to 840m²) could be accommodated on the site. The subdivision plan also includes the vesting of a stormwater management reserve in

favour of WDC, which incorporates a section of High Flood Risk Area and Flood Plain Management Area (as per PDP Stage 2 Maps) that flows across the northern extent of the property.



226. The subject site is located outside any identified urban growth area in Future Proof 2017, Waikato 2070 and the Taupiri Structure Plan. It is, however, according to the evidence of Mr Lester, able to connect to reticulated water and wastewater services. The planning evidence of Ms Laura Galt on behalf of Hamilton City Council (as a further submitter in opposition to this rezoning request) confirms that HCC is still opposed to an extended residential zoning outside the existing urban limits in Taupiri on the basis that work is still ongoing through Future Proof and the Metro Spatial Plan (MSP) to understand the extent of residential land required in this location³⁶. Waikato Regional Council's planning evidence, prepared by Ms Foley, advises that WRC's position as a further submitter is now neutral in respect to this submission point, provided that the flood-affected part of the site is excluded from any rezoning.
227. While Mr Lester describes this property as an isolated pocket of rural land, which is surrounded by residential land use and an urbanised transportation corridor³⁷, I note that the small size of the site at 0.9954ha is more akin to a residential lifestyle block, rather than being suitable for rural production. It is also sandwiched between Great South Road and the NIMT, which has given rise to a further submission in opposition from KiwiRail Holdings Ltd due to reverse sensitivity concerns. There are a handful of existing dwellings also in this corridor, which are similarly zoned Rural (and would remain so given that this submission point only relates to the submitter's property), but the density is relatively low overall due to the narrow width of land parcels.

³⁶ Evidence of Laura Galt, Table 2, page 10-11

³⁷ Evidence of Tim Lester, paragraph 5.2

228. Overall, I consider that while the small size of the site means that it is not of a scale that would threaten the integrity of the urban growth limit contained in the overarching strategic documents and that it has obvious limitations in terms of the types of rural activities that could be undertaken on it, the same could be said for a multitude of other small sizes across the district that adjoin an urban boundary with reticulated services. I am also mindful of the potential residential amenity impacts of locating additional dwellings in between a busy road and a rail corridor, and therefore the potential for reverse sensitivity effects on the operation of regionally significant infrastructure (in the absence of appropriate acoustic mitigation). On balance, I do not consider that the rezoning request would give effect to the development outcomes outlined in Section 6A of the WRPS. For these reasons, I recommend that this submission point be rejected.

9.3 Recommendations

229. For the reasons above I recommend that the Hearings Panel:

- (a) **Reject** submission points by Howard Lovell and Rudi Van Dam [805.1] and Howard Lovell [974.1]

9.4 Recommended amendments

230. Nil.

9.5 Section 32AA evaluation

231. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

10 Conclusion

232. Having assessed a range of submission points seeking various urban growth outcomes throughout the townships of Ngaruawahia, Horotiu and Taupiri, I have recommended only one substantial zone change and one correction to a mapping error.
233. The substantial zoning amendment is the introduction of a new Medium Density Residential Zone (MDRZ) in central Ngaruawahia, as proposed in the evidence of Kāinga Ora. The NPS-UD, WRPS, and Waikato 2070 all have a strong and consistent focus on the need to provide for the community's housing requirements. Sufficient capacity is therefore to be made available in locations that are appropriately serviced and importantly, where residential intensification will result in good quality urban environments. The proposed MDRZ enables flexibility in housing typology, rather than limiting a specific typology to a particular settlement expressly in the provisions. As such, the recommended rezoning has the effect of creating a basic building "envelope" within a defined geographic area, based upon established urban design principles which will enable progressive change and transition of urban form within each settlement. The spatial extent of the proposed MDRZ in Ngaruawahia is supported by detailed expert evidence that demonstrates that the rezoning proposal gives effect to the NPS-UD, the development outcomes sought by the WRPS, is generally reflective of the residential intensification area identified in Waikato 2070, and aligns with the strategic policy framework of the PDP.
234. The correction to a mapping error is to make minor amendments to the residential zoning at 86 Saulbrey Road and 46 Jackson Street, Ngaruawahia to reflect the boundaries set out in the Ngaruawahia Structure Plan.

235. While a number of other potential rezoning requests had merit, particularly in terms of being located within the urban limits of the WRPS, Future Proof 2017 and Waikato 2070, there was often insufficient technical evidence supporting these submission points to satisfy the information requirements set out in both the Panel's direction dated 12 May 2020 and WRPS Policy 6.1.8 regarding the matters to be assessed when contemplating district plan rezoning requests for new urban development, including the suitability of a Future Urban Zone (where the scope of submissions enables such a consideration). In these cases, the absence of technical evidence meant that I was unable to conclude that these proposed rezoning requests were more effective in achieving a well-functioning urban environment than the notified PDP provisions.
236. I consider that the submissions contained in this report should be accepted, accepted in part or rejected as set out in **Appendix I** for the reasons set out above.
237. **Appendix 2** contains recommended amendments to the District Plan maps.
238. **Appendix 3** contains the technical peer review assessments undertaken by Beca in relation to specific rezoning requests at Ngaruawahia, Horotiu and Taupiri.

Appendix I: Table of submission points (ordered by original submission number)

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
40.1	Mark De Lautour	Support	Retain the Residential zone for the property at 46 Jackson Street, Ngaruawahia as notified.	Accept in part	7
FS1107.1	Simon Upton	Oppose		Reject	7
FS1119.7	Stephen Roberts	Oppose		Reject	7
FS1161.3	Alan Bekhuis	Oppose		Reject	7
FS1386.32	Mercury NZ Limited for Mercury C	Oppose		Reject	7
64.1	Gulab Bilimoria for Bilimoria Consulting Ltd	Oppose	Amend the zoning of the property at 19 Hakarimata Road, Ngaruawahia from Rural Zone to retain the existing Light Industrial Zoning.	Reject	5
FS1027.1	Peter Ayson on behalf of Ngaruawahia Action Group Incorporated	Oppose		Accept	5
FS1386.49	Mercury NZ Limited for Mercury C	Oppose		Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
76.1	Gulab Bilimoria for Bilimoria Consulting Ltd	Support	Retain the proposed zoning of the properties at 24 and 43A Saulbrey Road, Ngaruawahia as Residential Zone.	Accept	7
FS1107.21	Simon Upton	Oppose		Reject	7
FS1161.8	Alan Bekhuis	Oppose		Reject	7
FS1386.62	Mercury NZ Limited for Mercury C	Oppose		Reject	7
95.1	Warren Allen	Support	Retain the Residential Zoning for the property at 18 Kernott Road, Horotiu.	Accept	8
FS1313.30	Perry Group Limited	Support		Accept	8
FS1379.19	Hamilton City Council	Oppose		Reject	8
FS1386.73	Mercury NZ Limited for Mercury C	Oppose		Reject	8
96.1	Carmen Allen	Support	Retain the Residential Zoning for the property at 18 Kernott Road, Horotiu.	Accept	8
FS1313.31	Perry Group Limited	Support		Accept	8
FS1379.20	Hamilton City Council	Oppose		Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1386.74	Mercury NZ Limited for Mercury C	Oppose		Reject	8
121.1	Mark Fendall	Neutral/Amend	Amend the zoning of the properties 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone.	Reject	5
FS1379.25	Hamilton City Council	Oppose		Accept	5
FS1386.102	Mercury NZ Limited for Mercury C	Oppose		Accept	5
122.1	Mark Fendall	Neutral/Amend	Amend the zoning of the properties at 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone.	Reject	5
FS1379.26	Hamilton City Council	Oppose		Accept	5
FS1386.103	Mercury NZ Limited for Mercury C	Oppose		Accept	5
128.1	Trevor Reid	Support	Retain the Residential Zoning for the property at 6257 Great South Road, Horotiu.	Accept	8
FS1036.6	Brownie Investments Limited	Support		Accept	8
FS1039.8	Colette Brown	Support		Accept	8
FS1017.11	Gulab Bilimoria	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1017.16	Gulab Bilimoria	Support		Accept	8
FS1313.32	Perry Group Limited	Support		Accept	8
FS1379.27	Hamilton City Council	Oppose		Reject	8
FS1386.109	Mercury NZ Limited for Mercury C	Oppose		Reject	8
128.3	Trevor Reid	Support	Retain the Residential zoning of the property at 108 Horotiu Bridge Road, Horotiu.	Accept	8
FS1039.10	Colette Brown	Support		Accept	8
FS1313.33	Perry Group Limited	Support		Accept	8
FS1386.111	Mercury NZ Limited for Mercury C	Oppose		Reject	8
130.1	Kathleen Reid	Support	Retain the Residential zoning of the property located at 6257 Great South Road, Horotiu.	Accept	8
FS1036.7	Brownie Investments Limited	Support		Accept	8
FS1039.3	Colette Brown	Support		Accept	8
FS1017.12	Gulab Bilimoria	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1017.17	Gulab Bilimoria	Support		Accept	8
FS1313.32	Perry Group Limited	Support		Accept	8
FS1379.29	Hamilton City Council	Oppose		Reject	8
FS1386.113	Mercury NZ Limited for Mercury C	Oppose		Reject	8
130.5	Kathleen Reid	Support	Retain the Residential zoning of the property at 108 Horotiu Bridge Road, Horotiu.	Accept	8
FS1039.6	Colette Brown	Support		Accept	8
FS1386.115	Mercury NZ Limited for Mercury C	Oppose		Reject	8
131.1	Vanessa Gibson on behalf of Brownie Investments	Support	Retain the Residential Zoning of the property at 6257 Great South Road, Horotiu.	Accept	8
FS1036.8	Brownie Investments Limited	Support		Accept	8
FS1039.12	Colette Brown	Support		Accept	8
FS1313.34	Perry Group Limited	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1379.30	Hamilton City Council	Oppose		Reject	8
FS1386.116	Mercury NZ Limited for Mercury C	Oppose		Reject	8
133.1	Simon Gibson	Support	Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.	Accept	8
FS1036.5	Brownie Investments Limited	Support		Accept	8
FS1039.13	Colette Brown	Support		Accept	8
FS1313.35	Perry Group Limited	Support		Accept	8
FS1379.31	Hamilton City Council	Oppose		Reject	8
FS1386.117	Mercury NZ Limited for Mercury C	Oppose		Reject	8
137.1	Michele Gamble	Support	Retain the proposed Residential zoning of the property located at 6257 Great South Road, Horotiu.	Accept	8
FS1036.4	Brownie Investments Limited	Support		Accept	8
FS1039.17	Colette Brown	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1313.36	Perry Group Limited	Support		Accept	8
FS1379.32	Hamilton City Council	Oppose		Reject	8
FS1386.118	Mercury NZ Limited for Mercury C	Oppose		Reject	8
138.1	Kim Crook	Support	Retain the proposed Residential Zoning for the properties located at 6257 and 6263 Great South Road, Horotiu.	Accept	8
FS1036.3	Brownie Investments Limited	Support		Accept	8
FS1039.1	Colette Brown	Support		Accept	8
FS1379.33	Hamilton City Council	Oppose		Reject	8
FS1386.119	Mercury NZ Limited for Mercury C	Oppose		Reject	8
142.1	Daniel Miles	Neutral/Amend	Amend the zoning of the property at 6061 Great South Road, Horotiu from Rural Zone to Residential Zone.	Reject	8
FS1379.34	Hamilton City Council	Oppose		Accept	8
FS1386.122	Mercury NZ Limited for Mercury C	Oppose		Accept	8
155.1	Karl Crook	Support	Retain the proposed Residential Zoning at 6257 Great South Road, Horotiu.	Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1036.1	Brownie Investments Limited	Support		Accept	8
FS1039.15	Colette Brown	Support		Accept	8
FS1313.37	Perry Group Limited	Support		Accept	8
FS1379.37	Hamilton City Council	Oppose		Reject	8
FS1386.132	Mercury NZ Limited for Mercury C	Oppose		Reject	8
157.1	John Baillie	Support	Retain the proposed Residential Zone at 6257 Great South Road, Horotiu.	Accept	8
FS1313.38	Perry Group Limited	Support		Accept	8
FS1379.38	Hamilton City Council	Oppose		Reject	8
FS1386.133	Mercury NZ Limited for Mercury C	Oppose		Reject	8
166.1	Reginald Briggs on behalf of Beverage Developments Ltd	Neutral/Amend	Amend the zoning of the Rural Zoned land that is existing urban housing in the area around Park Road and 6000-6012 Great South Road Horotiu (the submission does not specify a suitable zone).	Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1379.41	Hamilton City Council	Oppose		Accept	8
FS1386.145	Mercury NZ Limited for Mercury C	Oppose		Accept	8
167.1	Roger Heaslip	Support	Retain the proposed Residential Zoning of the property at 6257 Great South Road, Horotiu.	Accept	8
FS1313.39	Perry Group Limited	Support		Accept	8
FS1379.42	Hamilton City Council	Oppose		Reject	8
FS1386.146	Mercury NZ Limited for Mercury C	Oppose		Reject	8
187.2	Heather Parker on behalf of Warren & Heather Parker	Oppose	Ensure the property opposite 24 Kernott Road, Horotiu is not made Residential.	Reject	8
FS1386.186	Mercury NZ Limited for Mercury C	Oppose		Accept	8
265.1	James Whetu	Neutral/Amend	Amend zoning of the properties at 2, 6 and 8 Durham Street Ngaruawahia from Industrial Zone to Business Zone.	Reject	6
329.1	Richard Sun for The	Support	Retain the Residential Zone at the property owned by the Coffee Club Te Rapa Service Centre.	Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
	Coffee Club Te Rapa Service Centre				
FSI 386.388	Mercury NZ Limited for Mercury C	Oppose		Reject	8
375.1	Paul Ivory	Oppose	Amend the zoning of the property at 93 Hakarimata Road, Ngaruawahia from being a split zone of Rural Zone and Country Living Zone to being only Country Living Zone.	Reject	5
FSI 388.10	Mercury NZ Limited for Mercury E	Oppose		Accept	5
388.3	Sonny Karena for Tangata Whenua Working Group	Support	Retain the Proposed Residential zoning of the site with legal description of part Allotment 105 Horotiu Parish, Lot 6 DP 12221 and part Allotment 106, Horotiu Parish.	Accept	8
FSI 379.102	Hamilton City Council	Oppose		Reject	8
FSI 388.88	Mercury NZ Limited for Mercury E	Oppose		Reject	8
396.1	Alan Bekhuis	Neutral/Am end	Amend the zoning of the rear portion of the property at 25 Rangimarie Road, Ngaruawahia to Country/Rural living.	Reject	7
FSI 107.4	Simon Upton	Support		Reject	7

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1116.2	John Allan on behalf of John and Margherita Allan	Oppose		Accept	7
FS1119.5	Stephen Roberts	Support		Reject	7
FS1287.15	Blue Wallace Surveyors Ltd	Oppose		Accept	7
FS1388.130	Mercury NZ Limited for Mercury E	Oppose		Accept	7
409.2	Riki Manarangi	Neutral/Amend	Amend the zoning of the properties located from 22 Hakarimata Road to 963 Hakarimata Road (i.e. from the residential portion of Hakarimata Road to Riverview Road) from Country Living Zone to Village Zone.	Reject	5
FS1379.125	Hamilton City Council	Oppose		Accept	5
FS1388.155	Mercury NZ Limited for Mercury E	Oppose		Accept	5
464.11	Perry Group Limited	Neutral/Amend	Amend the zoning at properties Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 105 Horotiu Parish from Residential Zone to Business Zone (see submission for map of sites Marked Area A); AND Any consequential amendments or further relief to address the concerns raised in the submission.	Reject	8
FS1277.31	Waikato Regional Council	Oppose		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI 202.132	New Zealand Transport Agency	Oppose		Accept	8
FSI 388.384	Mercury NZ Limited for Mercury E	Oppose		Accept	8
464.12	Perry Group Limited	Neutral/Amend	Amend the zoning of part of the properties Allotment 106 Horotiu Parish and Section 2 SO 486608 from Rural Zone to Residential Zone (see submission for maps); AND Any consequential amendments or further relief to address the concerns raised in the submission.	Reject	8
FSI 087.3	Ports of Auckland Limited	Oppose		Accept	8
FSI 277.32	Waikato Regional Council	Oppose		Accept	8
FSI 139.146	Turangawaewae Trust Board	Oppose		Accept	8
FSI 202.114	New Zealand Transport Agency	Oppose		Accept	8
FSI 379.184	Hamilton City Council	Oppose		Accept	8
FSI 388.385	Mercury NZ Limited for Mercury E	Oppose		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
464.16	Perry Group Limited	Not Stated	Retain the Residential Zoning at Horotiu and Council's comprehensive approach to this zoning.	Accept	8
FS1388.388	Mercury NZ Limited for Mercury E	Oppose		Reject	8
535.90	Lance Vervoort for Hamilton City Council	Support	Retain the notified extent of residential growth at Ngaruawahia, provided that no further residential growth occurs along former State Highway 1.	Accept	4
FS1269.41	Housing New Zealand Corporation	Oppose		Reject	4
FS1316.49	Alstra (2012) Limited	Support		Accept	4
FS1388.719	Mercury NZ Limited for Mercury E	Oppose		Reject	4
578.24	Ports of Auckland Limited	Support	Retain the planning maps for the Horotiu area, as notified.	Accept	8
FS1277.39	Waikato Regional Council	Oppose		Reject	8
FS1313.15	Perry Group Limited	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI388.844	Mercury NZ Limited for Mercury E	Oppose		Reject	8
578.25	Ports of Auckland Limited	Not Stated	Investigate rezoning the land to the south of Horotiu from "Rural Zone" to "Industrial Zone"; AND Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.	Reject	8
FSI277.40	Waikato Regional Council	Oppose		Accept	8
FSI313.16	Perry Group Limited	Support		Reject	8
FSI379.200	Hamilton City Council	Oppose		Accept	8
FSI388.845	Mercury NZ Limited for Mercury E	Oppose		Accept	8
589.7	Z Energy Ltd	Support	Retain the Business Zone at 106 Great South Road, Ngaruawahia.	Accept	6
606.8	Bill Wasley for Future Proof Implementation Committee	Support	Amend 4.1.16 Policy - Horotiu and associated rules and maps, following a review of residential growth at Horotiu that is the result of the demand for industrial land and the need for further cross-boundary and infrastructure investigations.	Reject	8
FSI164.7	Tamara Huaki	Support		Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1182.9	Newstead Country Preschool	Support		Reject	8
FS1204.9	Christian & Natasha McDean	Support		Reject	8
FS1216.8	Newstead Residents Association	Support		Reject	8
FS1280.8	Dennis and Jan Tickelpenny	Support		Reject	8
FS1313.7	Perry Group Limited	Oppose		Reject	8
FS1087.17	Ports of Auckland Limited	Support		Reject	8
FS1183.12	Noel Gordon Smith	Support		Reject	8
FS1202.17	New Zealand Transport Agency	Support		Reject	8
FS1333.27	Fonterra Limited	Support		Reject	8
FS1379.210	Hamilton City Council	Support		Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
606.9	Bill Wasley for Future Proof Implementation Committee	Neutral/Amend	Amend the Proposed District Plan provisions and maps to provide for the outcomes identified in the Auckland-Hamilton Corridor Plan, the Future Proof Strategy Phase 2 Update and Waikato District Council's local area blueprints.	Reject	4
FSI183.5	Noel Gordon Smith	Support		Reject	4
FSI224.5	Ambury Properties Ltd	Support		Reject	4
FSI313.8	Perry Group Limited	Support		Reject	4
FSI182.10	Newstead Country Preschool	Support		Reject	4
FSI191.15	Shand Properties	Support		Reject	4
FSI202.18	New Zealand Transport Agency	Support		Reject	4
FSI281.37	Pokeno Village Holdings Limited	Support		Reject	4
606.15	Bill Wasley for Future Proof Implementation Committee	Support	Amend Chapter 20 Industrial Zone, Chapter 21 Industrial Zone Heavy and the Planning Maps as a result of reviewing the amount of land zoned at Horotiu for industrial purposes and market demand; AND Any consequential amendments to any other relevant plan provisions.	Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
	on Committee				
FSI157.9	Gordon Downey	Not Stated		-	8
FSI183.6	Noel Gordon Smith	Support		Reject	8
FSI216.9	Newstead Residents Association	Support		Reject	8
FSI280.9	Dennis and Jan Tickelpenny	Support		Reject	8
FSI313.9	Perry Group Limited	Oppose		Reject	8
FSI149.13	Gavin Lovegrove and Michelle Peddie	Support		Reject	8
FSI149.14	Gavin Lovegrove and Michelle Peddie	Support		Reject	8
FSI164.13	Tamara Huaki	Support		Reject	8
FSI164.14	Tamara Huaki	Support		Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1182.11	Newstead Country Preschool	Support		Reject	8
FS1202.83	New Zealand Transport Agency	Support		Reject	8
FS1204.10	Christian & Natasha McDean	Support		Reject	8
FS1204.12	Christian & Natasha McDean	Not Stated		-	8
FS1223.121	Mercury NZ Limited	Support		Reject	8
608.1	Michael Draper	Support	Retain the extent of the Proposed Residential zoning (with particular reference to northern Ngaruawahia).	Accept	5
FS1387.3	Mercury NZ Limited for Mercury D	Oppose		Reject	5
FS1287.26	Blue Wallace Surveyors Ltd	Support		Accept	5
FS1316.50	Alstra (2012) Limited	Support		Accept	5
622.1	Ken Williamson	Support	Retain the proposed zone changes in the District Plan, with specific reference to Great South Road and Kernott Road, Horotiu: CT References 789960, SAC30C/689, 749406.	Accept	

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1387.15	Mercury NZ Limited for Mercury D	Oppose		Reject	
FS1379.215	Hamilton City Council	Oppose		Reject	8
665.1	Paul Liddle	Support	Retain the Residential Zone as notified on the properties within the vicinity of Starr Road, Ngaruawahia.	Accept	5
FS1317.6	Quinn Haven Investments Limited and M & S Draper	Support		Accept	5
FS1287.27	Blue Wallace Surveyors Ltd	Support		Accept	5
FS1316.51	Alstra (2012) Limited	Support		Accept	5
FS1387.128	Mercury NZ Limited for Mercury D	Oppose		Reject	5
670.1	Property owners on Galbraith St, Jacobs Lane and Old Taupiri Road	Oppose	Amend the zoning of the following properties from Country Living Zone to Village Zone: 82A Old Taupiri Road, Ngaruawahia 84 Old Taupiri Road, Ngaruawahia 93 Old Taupiri Road, Ngaruawahia 101 Old Taupiri Road, Ngaruawahia 104 Old Taupiri Road, Ngaruawahia 106 Old Taupiri Road, Ngaruawahia	Reject	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
			109 Old Taupiri Road, Ngaruawahia 111 Old Taupiri Road, Ngaruawahia 116 A-C Old Taupiri Road, Ngaruawahia 127 Old Taupiri Road, Ngaruawahia 138 Old Taupiri Road, Ngaruawahia 145 Old Taupiri Road, Ngaruawahia 146 Old Taupiri Road, Ngaruawahia 152 Old Taupiri Road, Ngaruawahia 161 Old Taupiri Road, Ngaruawahia 176 Old Taupiri Road, Ngaruawahia 181 Old Taupiri Road, Ngaruawahia 182 Old Taupiri Road, Ngaruawahia 192 Old Taupiri Road, Ngaruawahia 217B Old Taupiri Road, Ngaruawahia 247 Old Taupiri Road, Ngaruawahia 271 Old Taupiri Road, Ngaruawahia 43A Galbraith Street, Ngaruawahia 57 Galbraith Street, Ngaruawahia 65 Galbraith Street, Ngaruawahia 10 Jacobs Lane, Ngaruawahia 15 Jacobs Lane, Ngaruawahia 18 Jacobs Lane, Ngaruawahia 21 Jacobs Lane, Ngaruawahia 24 Jacobs Lane, Ngaruawahia 28 Jacobs Lane, Ngaruawahia		

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
			34 Jacobs Lane, Ngaruawahia 37 Jacobs Lane, Ngaruawahia AND Amend the zoning of the property at 232 Old Taupiri Road, Ngaruawahia from Rural Zone to Village Zone. (Refer to map 2 included in the submission); AND Amend the zoning of the properties in the immediate locality of the specific properties listed above to Village Zone (see Map 1 included in the submission).		
FS1094.1	Dorothy Derecourt and David Mckeown	Support		Reject	5
FS1096.1	Ian Jospeh Robson and Sandra Joan Robson	Support		Reject	5
FS1099.1	Gregory Philip and Barabara Wiechern	Support		Reject	5
FS1106.3	Greg and Shirley Weller	Support		Reject	5
FS1382.1	Martin Coenen	Support		Reject	5
FS1379.228	Hamilton City Council	Oppose		Accept	5
FS1387.132	Mercury NZ Limited for Mercury D	Oppose		Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
671.1	Jeremy Buxton	Support	Amend all land within the greater Horotiu area currently zoned Country/Residential to be rezoned to Residential zone.	Reject	8
FS1087.21	Ports of Auckland Limited	Oppose		Accept	8
FS1277.43	Waikato Regional Council	Oppose		Accept	8
FS1379.229	Hamilton City Council	Oppose		Accept	8
FS1387.133	Mercury NZ Limited for Mercury D	Oppose		Accept	8
671.2	Jeremy Buxton	Support	Retain all land in the greater Horotiu area currently zoned New Residential to be Residential Zone.	Accept	8
FS1017.13	Gulab Bilimoria	Support		Accept	8
FS1017.18	Gulab Bilimoria	Support		Accept	8
FS1379.230	Hamilton City Council	Oppose		Reject	8
FS1387.134	Mercury NZ Limited for Mercury D	Oppose		Reject	8
674.1	Bruce Stirling	Support	Retain the Residential zoning as notified, with specific reference to Ngaruawahia (see maps attached to the submission).	Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI287.28	Blue Wallace Surveyors Ltd	Support		Accept	5
FSI316.52	Alstra (2012) Limited	Support		Accept	5
FSI387.137	Mercury NZ Limited for Mercury D	Oppose		Reject	5
693.10	Alstra (2012) Limited	Support	Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 38B River Road, Ngaruawahia (Property 1009876) from sensitive activities (which includes residential development); AND Retain the proposed Residential Zone as notified for the property at 38B River Road, Ngaruawahia (Property 1009876) if there are reverse sensitivity provisions protecting the existing intensive farming activities (including residential development); OR Amend the zoning of the property at 38B River Road, Ngaruawahia (Property 1009876) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted; AND Any consequential or alternative relief to address the matters raised in the submission.	Accept in part	5
693.11	Alstra (2012) Limited	Support	Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 5463B Great South Road, Ngaruawahia (Property 1005128) from sensitive activities (which includes residential development); AND Retain the proposed Residential Zone for the property at 5463B Great South Road, Ngaruawahia (Property 1005128) if there are reverse sensitivity provisions protecting the existing intensive farming activities from sensitive activities (including residential development); OR Amend the zoning of the property at 5463B Great South Road, Ngaruawahia (Property 1005128) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted; AND Any consequential amendments or alternative relief to address the matters raised in the submission.	Accept in part	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI387.376	Mercury NZ Limited for Mercury D	Oppose		Reject	
693.12	Alstra (2012) Limited		Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Residential Zone; OR Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Country Living Zone.	Reject	5
FSI317.4	Quinn Haven Investments Limited and M & S Draper	Oppose		Accept	5
FSI379.254	Hamilton City Council	Oppose		Accept	5
FSI387.377	Mercury NZ Limited for Mercury D	Oppose		Accept	5
697.343	Waikato District Council	Neutral/Amend	Amend zoning of the property at 86 Saulbrey Road, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan. Refer to attached map in submission.	Accept	7
FSI107.5	Simon Upton	Support		Accept	7
FSI161.4	Alan Bekhuis	Support		Accept	7
FSI119.2	Stephen Roberts	Support		Accept	7
FSI387.539	Mercury NZ Limited for Mercury D	Oppose		Reject	7

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
697.460	Waikato District Council	Neutral/Amend	Amend Business Town Centre zoning for certain properties for the Ngaruawahia Town Centre, based on the types of activities that operate in these areas.	Reject	6
FS1387.566	Mercury NZ Limited for Mercury D	Oppose		Reject	6
697.461	Waikato District Council	Neutral/Amend	Amend zoning of property at 46 Jackson Street, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan.	Accept	7
FS1088.1	Mark de Lautour	Oppose		Reject	7
FS1119.3	Stephen Roberts	Support		Accept	7
FS1387.567	Mercury NZ Limited for Mercury D	Oppose		Reject	7
740.1	Colin Dixon on behalf of Dixon Family Trust	Oppose	Amend the zoning of part of 139 Onion Road, Horotiu, from Rural Zone to Industrial Zone as shown on map attached to the submission.	Reject	8
FS1312.1	Northgate Industrial Park and Northgate Developments	Support		Reject	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1277.49	Waikato Regional Council	Oppose		Accept	8
FS1379.282	Hamilton City Council	Oppose		Accept	8
FS1387.831	Mercury NZ Limited for Mercury D	Oppose		Accept	8
742.18	Mike Wood for New Zealand Transport Agency	Neutral/Amend	Defer or withdraw the live zoning from the planning maps or defer until an integrated land use and infrastructure plan is completed that provides for coordinated sequencing and staging of infrastructure for the 'live' rezoned area outside of the Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plans; AND Request any consequential changes necessary to give effect to the relief sought in the submission.	Accept in part	4
FS1269.58	Housing New Zealand Corporation	Oppose		Accept in part	4
FS1273.83	Auckland Transport	Support		Accept in part	4
FS1287.36	Blue Wallace Surveyors Ltd	Oppose		Accept in part	4
FS1316.46	Alstra (2012) Limited	Oppose		Accept in part	4
FS1108.135	Te Whakakitenga o Waikato Incorporated	Support		Accept in part	4

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
	(Waikato-Tainui)				
FSI139.121	Turangawaewa Trust Board	Support		Accept in part	4
FSI176.254	Watercare Services Ltd	Support		Accept in part	4
FSI308.119	The Surveying Company	Oppose		Accept in part	4
FSI387.848	Mercury NZ Limited for Mercury D	Oppose		Accept in part	4
756.1	Simon Upton	Oppose	Amend the extent of the proposed extension of Residential Zoning on the south side of Ngaruawahia as detailed on Map 20.7 to provide a clear urban boundary and transition to the rural zone that preserves the integrity of the gully system and stream margins on the south side of the existing town and reflects the landscape, visual, open green space, green linkages and amenity values promoted elsewhere in the PDP; AND Defer the re-issue of any amended version of the residential zoning limits detailed in Map 20.7 until the March 2017 Structure Plan has been revised to reflect the strategic directions, objectives and policies of the PDP and has been subjected to full consideration of alternative zone boundaries as required by s 32 RMA.	Reject	7
FSI088.2	Mark de Lautour	Not Stated		Accept in part	7
FSI116.1	John Allan on behalf of John and	Oppose		Accept	7

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
	Margherita Allan				
FS1119.1	Stephen Roberts	Support		Reject	7
FS1161.1	Alan Bekhuis	Support		Reject	7
FS1161.2	Alan Bekhuis	Support		Reject	7
FS1108.152	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose		Accept	7
FS1379.302	Hamilton City Council	Oppose		Accept	7
768.1	Don Jacobs	Oppose	Amend the zoning of the entire property at 7 Uenuku Street, Ngaruawahia, to Residential Zone.	Reject	6
FS1387.1160	Mercury NZ Limited for Mercury D	Oppose		Accept	6
790.1	Northgate Developments Ltd & Northgate Industrial Park Ltd	Support	Retain the Industrial zoning as notified of land within the Horotiu Industrial Park, Horotiu as per Planning Map 26.1, comprising: Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and the certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.	Accept	8
FS1313.1	Perry Group Limited	Support		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FS1387.1239	Mercury NZ Limited for Mercury D	Oppose		Reject	8
790.2	Northgate Developments Ltd & Northgate Industrial Park Ltd	Oppose	Amend the zoning of approximately 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353 (SA60D/2) from Rural to Industrial (see Attachment A to the submission for the extent of rezoning); OR Any further amendments as necessary to support the Northgate position.	Reject	8
FS1313.2	Perry Group Limited	Support		Reject	8
FS1202.99	New Zealand Transport Agency	Oppose		Accept	8
FS1277.50	Waikato Regional Council	Oppose		Accept	8
FS1108.188	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose		Accept	8
FS1379.325	Hamilton City Council	Oppose		Accept	8
FS1387.1240	Mercury NZ Limited for Mercury D	Oppose		Accept	8

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
749.154	Housing NZ Corporation	Oppose	Add a new "Medium Density Residential Zone" to the Proposed District Plan zone maps as contained in Attachment 4 of the submission for the following urban settlements: Huntly, Ngaruawahia, Pokeno, Raglan, Taupiri, Te Kauwhata, Tuakau; AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.	Accept in part	6
FS1050.4	Kiwi Green NZ Ltd	Support		Accept in part	6
FS1316.48	Alstra (2012) Ltd	Support		Accept in part	6
FS1368.10	Rosita Dianne-Lynn Barnes	Support		Accept in part	6
FS1368.15	Rosita Dianne-Lynn Barnes	Support		Accept in part	6
FS1108.157	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support		Accept in part	6
FS1139.142	Turangawaewa Trust Board	Support		Accept in part	6
FS1202.105	NZ Transport Agency	Support		Accept in part	6

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI 276.152	Whaingaroa Environmental Defence Inc. Society	Oppose		Reject	6
FSI 345.118	Genesis Energy Ltd	Oppose in part		Reject	6
FSI 377.268	Havelock Village Ltd	Support		Accept in part	6
FSI 377.268	Mercury NZ Ltd for Mercury D	Oppose		Reject	6
805.1	Howard Lovell and Rudi Van Dam	Oppose	Amend the zoning of land in Taupiri, located between Gordon Road (State Highway 1B) on the eastern boundary, Te Putu Street and Murphy Lane, the North Island Main Trunk Rail Line to the east and Great South Road to enable urban growth and development (see submission for map of area and indicative concept plans).	Reject	9
FSI 109.2	St Isadore Company Limited	Support		Reject	9
FSI 108.156	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose		Accept	9
FSI 139.141	Turangawaewae Trust Board	Oppose		Accept	9

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI277.116	Waikato Regional Council	Oppose		Accept	9
FSI379.337	Hamilton City Council	Oppose		Accept	9
FSI387.1297	Mercury NZ Limited for Mercury D	Oppose		Accept	9
829.4	Whenua Holdings Waikato Limited	Neutral/Amend	Amend zoning of the properties at 42 and 76C Fox Road, and 5167C Great South Road, Ngaruawahia from Rural Zone to Residential Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.	Reject	5
FSI108.155	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose		Accept	5
FSI139.140	Turangawaewae Trust Board	Oppose		Accept	5
FSI202.127	New Zealand Transport Agency	Oppose		Accept	5
FSI277.123	Waikato Regional Council	Oppose		Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI379.341	Hamilton City Council	Oppose		Accept	5
FSI387.1335	Mercury NZ Limited for Mercury D	Oppose		Accept	5
829.5	Whenua Holdings Waikato Limited	Neutral/Amend	Amend the zoning of the property at Wallbank Road, Ngaruawahia (Property number 1005161) from Rural Zone to Industrial Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.	Reject	5
FSI094.3	Dorothy Derecourt and David Mckeown	Oppose		Accept	5
FSI096.3	Ian Jospeh Robson and Sandra Joan Robson	Oppose		Accept	5
FSI100.1	Margaret Lindsay Mitchell	Oppose		Accept	5
FSI101.2	Christine McNeill	Oppose		Accept	5
FSI102.1	Eric and Vickie Finlay	Oppose		Accept	5
FSI103.2	Kevin Desmond Mattson	Oppose		Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI104.2	Greg and Natalie Kelly	Oppose		Accept	5
FSI106.2	Greg and Shirley Weller	Oppose		Accept	5
FSI202.128	New Zealand Transport Agency	Oppose		Accept	5
FSI277.124	Waikato Regional Council	Oppose		Accept	5
FSI387.1336	Mercury NZ Limited for Mercury D	Oppose		Accept	5
829.8	Whenua Holdings Waikato Limited	Neutral/Amend	Amend zoning of the property at 134 Duke Street, Ngaruawahia from Rural Zone to Residential Zone; AND Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.	Reject	5
FSI202.106	New Zealand Transport Agency	Oppose		Accept	5
FSI277.125	Waikato Regional Council	Oppose		Accept	5
FSI379.342	Hamilton City Council	Oppose		Accept	5
FSI387.1339	Mercury NZ Limited for Mercury D	Oppose		Accept	5

Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
839.1	Mark Woodham	Support	Retain the Residential zoning of the property 6257 Great South Road, Horotiu.	Accept	8
FS1036.2	Brownie Investments Limited	Support		Accept	8
FS1039.19	Colette Brown	Support		Accept	8
FS1379.353	Hamilton City Council	Oppose		Reject	8
FS1387.1381	Mercury NZ Limited for Mercury D	Oppose		Reject	8
840.1	Colette Brown	Support	Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.	Accept	8
FS1036.9	Brownie Investments Limited	Support		Accept	8
FS1379.354	Hamilton City Council	Oppose		Reject	8
FS1387.1382	Mercury NZ Limited for Mercury D	Oppose		Reject	8
859.1	Stephen Roberts	Neutral/Amend	Amend the zoning within the proposed subdivisions of Ngaruawahia South Map 20.7 from Residential Zone to Reserve Zone, to create a visual amenity area from Puke-l-aahua Pa site (Havelock Hill) to the knoll (see map attached to submission for location, between Jackson Street, Saulbrey Road and the proposed Rangimarie Road extension).	Reject	7
FS1161.6	Alan Bekhuis	Support		Reject	7
FS1107.18	Simon Upton	Support		Reject	7

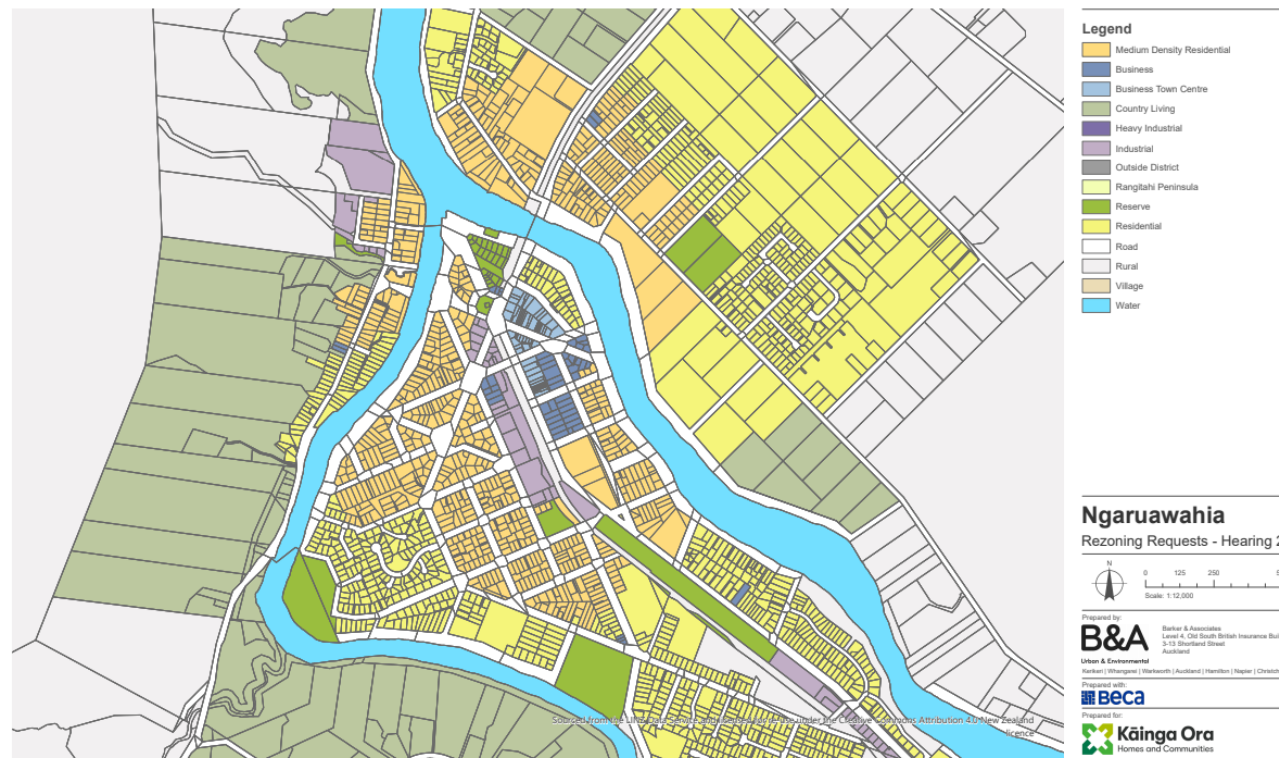
Submission number	Submitter	Support / oppose	Summary of submission	Recommendation	Section of this report where the submission point is addressed
FSI387.1394	Mercury NZ Limited for Mercury D	Oppose		Accept	7
966.1	Reginald Briggs	Oppose	Amend Rural zoning of the pocket of houses bounded by Park Road and 6000-6012 Great South Road, Horotiu.	Reject	8
FSI277.98	Waikato Regional Council	Oppose		Accept	8
FSI379.372	Hamilton City Council	Oppose		Accept	8
974.1	Tim Lester for Blue Wallace Surveyors Ltd on behalf of Howard Lovell	Neutral/Amend	Amend the zoning for the property at 129 Great South Road, Taupiri (Pt Lot 2 DP24220) from Rural Zone to Residential Zone.	Reject	9
FSI272.17	KiwiRail Holdings Ltd	Oppose		Accept	9
FSI277.117	Waikato Regional Council	Oppose		Accept	9
FSI379.376	Hamilton City Council	Oppose		Accept	9

Appendix 2: Recommended amendments

Recommendation 1:

That the Planning Maps for Ngaruawahia be amended to reflect a new Medium Density Residential Zone, as shown in orange below³⁸.

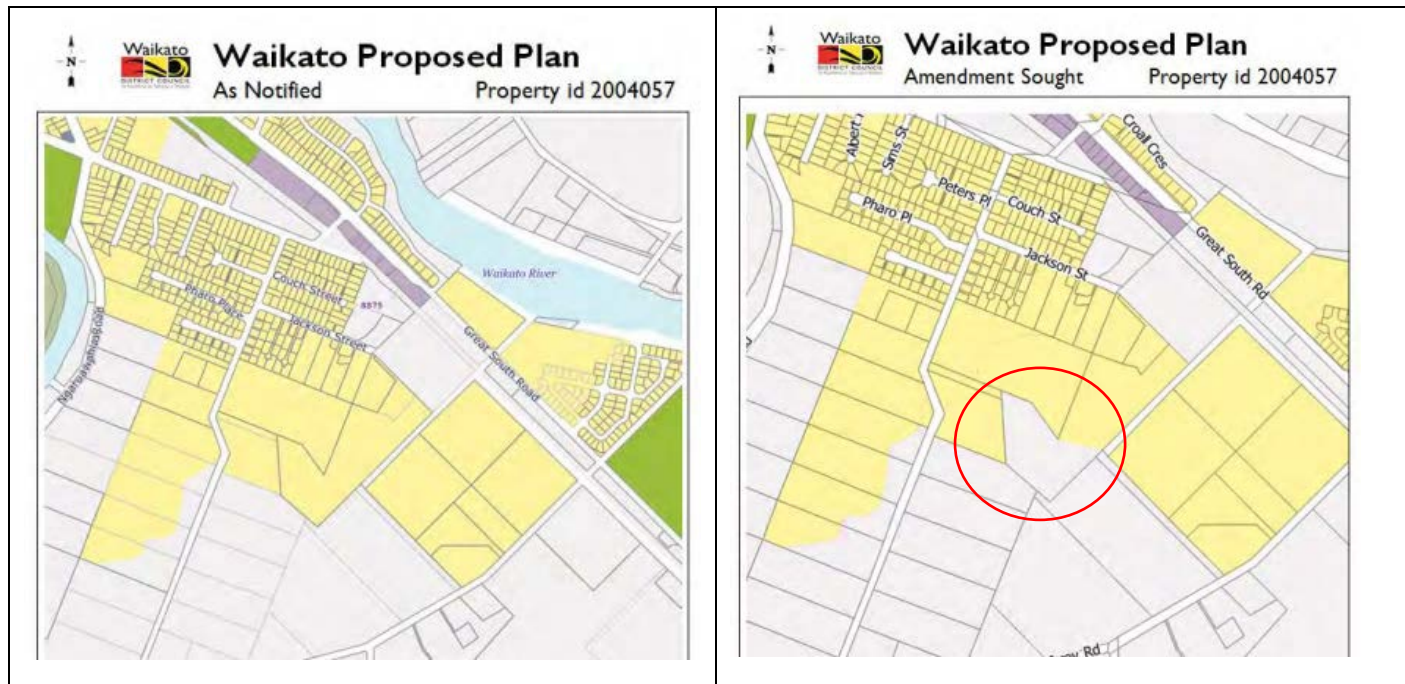
Proposed Waikato District Plan Map Title



³⁸ Submission point by Kāinga Ora-Homes and Communities [749.54], to the extent that it relates to Ngaruawahia

Recommendation 2:

That the Planning Maps for Ngaruawahia be amended by realigning the Residential Zone boundary at 86 Saulbrey Road and 46 Jackson Street to reflect the boundaries set out in the Ngaruawahia Structure Plan, as shown below³⁹.



³⁹ Submission points by Waikato District Council [697.343 and 697.461]

Appendix 3: Technical Reports

Engineering peer review assessments undertaken by Beca in relation to specific rezoning requests at Ngaruawahia, Horotiu and Taupiri

Specific submission points addressed include:

Ngaruawahia

- Submission by Don Jacobs [768.1] – Transport and 3 Waters;

Horotiu

- Submission by Perry Group [464.12] – Transport and 3 Waters;

Taupiri

- Submission by Howard Lovell and Rudi Van Dam [805.1] – Transport and 3 Waters.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
From: Roger Seyb, Beca Ltd
Copy: Carolyn Wratt, WDC Consultant Planner
Subject: Technical Specialist Review, Three Waters – Ngaruawahia
Date: 16 April 2021
Our Ref: 4214056-1680710091-12

Experience and Qualifications

My name is Roger Morgan Seyb.

I am a Senior Technical Director in the Water Resources and Civil Engineering fields employed by Beca Ltd.

I hold a Bachelor of Civil Engineering degree from the University of Auckland. I am a Chartered Engineer and a Chartered Member of Engineering New Zealand.

I have been working in the civil engineering field since 1990, predominately in New Zealand, and have carried out a wide range of civil engineering, water infrastructure and environmental projects from conception to construction during that time.

1. Introduction and purpose

The purpose of this report is to provide a view as to whether:

- a) Sufficient and appropriate information has been included in the assessment;
- b) The assumptions are sound and reasonable;
- c) The proposed solutions are technically feasible and realistic;
- d) The timeframes for upgrades or connections are realistic; and
- e) There are any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents considered

Documents reviewed:

Submission from Tim Lester on behalf of Don Jacobs

Including: GDC Consultant Report on subdivision suitability at 7 Uenuku St, Ngaruawahia, June 2018

2.1 Limitations

This review is a limited desk top review carried out by reading the above documents and providing general comment on the suitability of the information to be relied upon and recommendations made at the Proposed Waikato District Plan hearing. No site visit has been undertaken and the information referred to in the documents and calculations have not been verified. Detailed knowledge of the constraints within the network was not available - further discussion with the network operator would be required to identify and address any specific constraints within the network.

3. Overview of technical matters

The submitter has an interest in a 6.35 ha site in Ngaruawahia township that is currently zoned Living and Countryside Living. The proposed DP proposes to change this to rural. A development plan appended to the GDC report shows 46 lots of approximately 500 m² in size. The site is not identified within a growth cell in Waikato 2070.

Memorandum

Further investigation is required to identify how stormwater, wastewater and water supply services would be provided for the site.

Connections to the local water supply and wastewater network are likely to be feasible. Stormwater requires more investigation to identify a proposed method of discharge, consider how to manage potential flooding hazards and integrate with stormwater drainage from the local roading system.

4. Adequacy of assessment

The submitter has an interest in a 6.35 ha site in Ngaruawahia township that is currently zoned Living and Countryside Living. The proposed DP proposes to change this to rural. A development plan appended to the GDC report shows 46 lots of approximately 500 m² in size. The site is not identified within a growth cell in Waikato 2070.

GDC Consultants Ltd have prepared a subdivision suitability report for the site at 7 Uenuku St, Ngaruawahia. Part of the report relates to stormwater and wastewater drainage.

Stormwater

GDC has carried out stormwater soakage testing of the sand soils on site and has identified these as having good soakage rates.

The report concludes that the existing ponding on the southern part of the site is the result of the discharge of stormwater to the site from the local roading network and this has overloaded the soakage over time (presumably due to siltation / clogging of the surface soils).

A map from the Catchment Management Plan, Ngaruawahia Structure Plan Area prepared by Tonkin & Taylor shows the site being subject to potential ponding greater than 0.3m deep and overland flow outletting to the north west.

The northern part of the land has been identified as a HAIL site with past potential contamination.

In my view, developing the site would require identifying a suitable stormwater management system including conveyance, storage, treatment, a means of discharge and overland flow path.

Conceptually this could be by way of soakage or a pipe system along public roads to discharge to the Waipa River. In terms of any soakage system, consideration would need to be given to providing for the runoff from upstream areas and separation from any contaminated soils. Ponding levels on site also need to be assessed, with floors set above extreme ponding levels and an overland flow path out of the site provided. Further investigation is required to confirm a stormwater approach and the level of development that could be supported but at this stage it appears a system for some development could be constructed.

Wastewater

The GDC report considers that on site wastewater disposal is unlikely to be viable for the site.

No assessment of the feasibility of connection to or capacity of the council wastewater network is provided, but I note that a public wastewater network is present on the adjoining streets and therefore a connection is likely to be feasible.

Water supply

No assessment of the feasibility of connection to or capacity of the council water supply network is provided, but I note that public water supply network is present on the adjoining streets and therefore a connection is likely to be feasible.

Overall, my view is that providing Three Waters services to the site is likely to be feasible but there are a number of technical issues that need to be investigated further and resolved to determine the intensity of development that is feasible.

5. Conclusions

My conclusion is that some level of development is likely to be able to be serviced for the Three Waters subject to further assessment as follows:

Memorandum

- Investigate and develop a stormwater management approach and consider flood hazard further for any future resource consent phase. This would include; design of the proposed discharge system, treatment, separation from contaminated soils, providing an overland flow path out of the site and setting building levels above flooding hazards.
- Consultation with WDC re management of stormwater from the public roading system to determine an overall approach for management of the stormwater on site and upstream.
- Confirming the capacity of the water and wastewater networks can provide for the development.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
From: Samantha Fraser, Beca Ltd
Copy: Carolyn Wratt, WDC Consultant Planner
Subject: Technical Specialist Review – Three Waters - Horotiu
Date: 16 April 2021
Our Ref: 4214056-1680710091-12

Experience and Qualifications

My name is Anna Samantha Jane Fraser

I am an Associate Civil Engineer employed by Beca Ltd.

I hold a Bachelor of Civil Engineering and Commerce degree from the University of Auckland. I am a Chartered Engineer and a Chartered Member of Engineering New Zealand.

I have been working in the civil engineering field for 10 years, predominately in New Zealand, and have carried out a wide range of civil engineering including stormwater infrastructure and environmental projects from conception to construction during that time.

1. Introduction and purpose

The purpose of this report is to provide a view as to whether:

- a) Sufficient and appropriate information has been included in the assessment;
- b) The assumptions are sound and reasonable;
- c) The proposed solutions are technically feasible and realistic;
- d) The timeframes for upgrades or connections are realistic; and
- e) There are any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents considered

Documents provided as part of evidence:

- Statement of Evidence of Aaron Collier for Perry Group Limited (Further submitter number 1313) Hearing 25: Zone extents 17 February 2021

Other documents:

- Horotiu West Development, Three Waters Infrastructure Assessment by AECOM, dated 12 March 2018 (Concept)
- Te Awa Lakes Sub-Catchment Integrated Catchment Management Plan, Perry Group Limited, 27 October 2017, by Bloxam Burnett & Olliver

Memorandum

- Te Awa Lake Stormwater Management Plan, Prepared for Perry Group Limited, 30 October 2017 by CKL

2.1 Limitations

This review is a limited desk top review carried out by reading the above documents and providing general comment on the suitability of the information to be relied upon and recommendations made at the Proposed Waikato District Plan hearing. No site visit has been undertaken and the information referred to in the documents and calculations have not been verified. Detailed knowledge of the constraints within the network was not available - further discussion with the network operator would be required to identify and address any specific constraints within the network.

3. Overview of technical matters

Developable Area

There are two areas which are to be zoned:

- A small area of land on Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 105 Horotiu Parish
 - Current zone under Operative District Plan: Country Living and Urban
 - Proposed District Plan Zone: Residential Zone
 - Propose rezoning: Business Zone (~2.9Ha)
- A small area on allotment 106 Horotiu Parish and Section 2SO486608:
 - Current zone under Operative District Plan: Rural Zone
 - Proposed District Plan Zone: Rural Zone
 - Propose rezoning: Residential Zone (~1.3Ha)

This area is within the Waikato 2070 Horotiu Development Plan. It is located within the Kernott Road Growth Cell. Under the Proposed Distract Plan there are currently 10 households and the residential net capacity (households) is 225.

Wastewater

An existing public rising main is located north of the site on Gateway Drive. Connection to this would be required for development of the site under the current district plan.

It is identified that there is a wastewater network available to this area. Watercare would need to provide confirmation on its capacity.

Water

An existing public rider main extends to the norther side of the site. An extension of this would be required for development of the site under the current district plan.

It is identified that there is water supply network available to this area. Watercare would need to provide confirmation on capacity.

Stormwater

Stormwater quality and detention would need to be managed on site prior to discharge to the Waikato River.

Memorandum

4. Assessment undertaken

The proposed zoning changes identified by the submitter are for small areas within the approximately 17Ha development, including rezoning to business 2.9Ha and rezoning to residential 1.3Ha. The submitter developed a plan for the overall site in 2017/2018 to develop the site from Countryside Living to Residential.

The submitter refers to the Three Waters Infrastructure report by AECOM in 2018, which was prepared for a resource consent and approvals on the overall site of approximately 17Ha development. The areas within this include rezoning 2.9Ha to business and rezoning 1.3Ha to residential. As part of this proposed redevelopment the Te Awa Lakes Development Integrated Catchment Management Plans and Stormwater Management Plans were completed in October 2017. The Te Awa Lakes is the development on the east of the proposed location. In these documents the area for proposed rezoning is within the 'Horotiu West Development'.

Since the development of these reports the WDC have prepared reports identifying areas for development. This includes the Section 42A Report – Hearing 25 Zone Extents Framework Report, 19 January 2021.

Developable Area

The Three Waters Infrastructure report by AECOM in 2018 includes the areas within the site sought to be rezoned all as Residential. The proposed development was based on residential zoning assuming 70% impervious cover for the entire area, however with the addition of the Business Zone, it is expected to increase the impervious cover for this small area.

Wastewater

The Three Waters Assessment provides wastewater options to service the proposed development site. The report identifies that the Horotiu wastewater network and the Ngaruawahia network to which it discharges are known to have capacity issues and that the WDC are in the process of planning for the implementation of a new major pump station direct to the Ngaruawahia WWTP.

The proposed zone change will be able to be incorporated into the development wastewater management plan. Modelling of the proposed development on the wastewater network should be completed in the next stage of design.

Water

The AECOM Three Waters report states that preliminary water demand figures have been provided to WDC and modelling has yet to be carried out. A high-level concept for the water supply network has been completed which includes two principal main extensions to form a ring main through the development.

No modelling has been carried out. Modelling of the proposed development on the water network should be completed in the next stage of design.

Stormwater

The Three Waters Infrastructure Report for the development refers to the Te Awa Lakes CMP and SMP. This demonstrates that the stormwater can be managed on site for the Water Quality Volume and Extended Detention Volume prior to discharge. The stormwater will be either discharged to the Te Awa Lakes via a culvert under the Waikato Expressway or to the Waikato River on the Western side of the expressway. If the former option is selected the report identifies that the culvert will need to be upgraded with multiple culverts installed for the proposed development.

Memorandum

5. Adequacy of assessment

Developable Area

The submitter has shown the area they propose to rezone. A preliminary concept plan of the proposed development in 2018 was provided in the AECOM report, which included the two areas of interest.

The WDC Section 42A Report identifies the Growth Cell within Kernott Road under the PDP to increase from 10 households to 225 households.

Wastewater

The WDC Section 42A Report identifies that the Growth Cell Servicing identifies that the wastewater supply network is available. WSL have confirmed that the network will have capacity.

New infrastructure will be required for the proposed development and will be able to connect into the council network. The developer will need to undertake discussions around the ownership of any pump station which services the development and three options have been reviewed at a high level.

I expect that the proposed zone changes will be able to be incorporated into the development wastewater management plan. Further assessment should be completed in the subsequent design phase, as WSL has generally confirmed the discharge can be connected.

Water

I agree with the approach the Three Waters report provides to complete a ring main through the development to service the site. The WDC Section 42A Report identifies that the Growth Cell Servicing identifies that the water supply network is available for the Kernott Road Development area. WSL have since indicated that the water capacity could be met for the proposed zone changes. Modelling should be carried out by the developer.

Stormwater

The Western Catchment Calculations in the SMP have been based on 70% imperviousness, which is equivalent to residential area. The Business Zone is expected to be ~80% impervious. The SMP proposes a stormwater management approach including on site rain tanks for roofs, permeable pavements for driveways, rain gardens for roading and community scale constructed wetlands to provide water quality, extended detention and control of peak flows. I note that the intensity of development on the site is greater than used in the SMP and therefore the results give an indication of potential effects. It is expected that the additional effect of the proposed zone changes can be accommodated.

I generally agree with the proposed approach. There are some key constrictions including discharging under the Waikato expressway and the existing culvert size if the stormwater is discharged to the Te Awa Lakes development. The developer will have to work with Waka Kotahi on upgrading the culvert under the expressway for the proposed development, however the proposed zone changes will not have a significant influence on the culvert size, as this will be sized for the wider development proposed.

6. Conclusions

The change in the proposed zoning is likely to be able to be serviced from the Three Waters. Further assessment will be required upon design developments of the proposed site development. This will include:

Memorandum

- Water and Wastewater infrastructure review and discussions with WDC if the assets will be private or public assets
- Modelling of the water and wastewater network should be undertaken to confirm capacity.
- The Stormwater Management Plan to be updated in subsequent design phases. If discharging under Waikato Expressway approvals from Waka Kotahi will be required. The SMP should be updated to reflect the development in the design process.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
Date: 16 April 2021
From: Roger Seyb, Beca Ltd
Our Ref: 4214056-1680710091-12
Copy: Carolyn Wratt, WDC Consultant Planner
Subject: Technical Specialist Review, Three Waters – Taupiri

Experience and Qualifications

My name is Roger Morgan Seyb.

I am a Senior Technical Director in the Water Resources and Civil Engineering fields employed by Beca Ltd.

I hold a Bachelor of Civil Engineering degree from the University of Auckland. I am a Chartered Engineer and a Chartered Member of Engineering New Zealand.

I have been working in the civil engineering field since 1990, predominately in New Zealand, and have carried out a wide range of civil engineering, water infrastructure and environmental projects from conception to construction during that time.

1. Introduction and purpose

The purpose of this report is to provide a view as to whether:

- a) Sufficient and appropriate information has been included in the assessment;
- b) The assumptions are sound and reasonable;
- c) The proposed solutions are technically feasible and realistic;
- d) The timeframes for upgrades or connections are realistic; and
- e) There are any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents considered

Documents reviewed:

Statement of Evidence of Tim Lester on behalf of Howard Lovell, 17 Feb 2021

Section32AA Further evaluation report, 127 Great South Road, Taupiri, 17 Feb 2021

Section32AA Further evaluation report, Taupiri Village Expansion Area, 17 Feb 2021

- Including S32AA – Further Evaluation Report: Water Supply and Wastewater, Lovell South Blocks

Section 32AA Further Evaluation – Addendum [the reference to 127 Great South Rd in the title is incorrect, report relates to land east of the TVEA owned by Mr R Van Dam]

2.1 Limitations

This review is a limited desk top review carried out by reading the above documents and providing general comment on the suitability of the information to be relied upon and recommendations made at the Proposed Waikato District Plan hearing. No site visit has been undertaken and the information referred to in the documents and calculations have not been verified. Detailed knowledge of the constraints within the network was not available - further discussion with the network operator would be required to identify and address any specific constraints within the network.

Memorandum

3. Overview of technical matters

The reports relate to three development proposals:

- A change of 1ha from rural to residential zone at 127-129 Great South Rd, currently identified to enable 10 lots – Mr Lovell;
- A change of about 15 ha within an area of 35 ha from rural to Taupiri Village Expansion Area, south of the existing Village Zone, enabling 163 lots at 917 m² average size – Mr Lovell; and
- A change of about 44ha from rural to Village and Industrial/Commercial, east of the existing Village Zone.

All of the land except 127 Great South Rd is included in the Waikato 2070 growth plan, although the majority is scheduled to be developed in the 10 to 30 year timeframe.

In terms of three waters infrastructure there are limited issues. Appropriate methods for stormwater management are available and can be developed through future stages of consenting and design.

It is likely that an engineering solution can be developed to allow servicing by water and wastewater networks subject to appropriate staging and agreement of funding for the development's contribution to network and treatment plant upgrades.

WSL has identified no significant concerns with these development proposals at a strategic level, assuming wet industry is not proposed. However, they will likely want to review the modelling and may have specific network constraints to be addressed.

4. Adequacy of assessment

127 Great South Road

The proposed development is relatively small with water supply and wastewater infrastructure nearby. I expect that suitable network connections can be provided.

WSL has identified no significant concerns with this residential development proposal.

Part of the site is within the regional Waikato flood plain but this appears to be concentrated around the gully running through the site. The S32AA report identifies that floor levels will be above 100 year flood with freeboard and that they will set aside the land to the north as drainage reserve. There is no stormwater infrastructure nearby, but I expect that it will be feasible given that there is a gully traversing the site and that land is proposed to be set aside for drainage purposes.

Overall, no significant constraints are identified in terms of three waters servicing.

Land south of Taupiri – Lovell

A high level water supply network constraints assessment has been carried out and identified that water supply is feasible but that some boosting of pressure may be required.

Mott McDonald have previously carried out a wastewater assessment of an additional 135 lots for Taupiri (part of the existing TVEA). This indicated future development in the TVEA is likely to be feasible but that further hydraulic modelling is required to confirm network capacity. A pump station is needed to service the development area.

Te Miro Water have carried out a stormwater assessment and identified some constraints due to flooding and an appropriate stormwater management approach. It was concluded that development was generally feasible assuming that either flood attenuation for development sites was provided or flood modelling was carried out to identify issues in detail and determine mitigation.

WSL has identified no significant concerns with these residential development proposals. Modelling will be required to confirm specific network capacity.

Land east of Taupiri – Van Dam

Memorandum

No specific assessment is provided for servicing for any of the Three Waters.

Modelling will be required to confirm specific water and wastewater network capacity. In particular, any proposals for wet industries would need careful consideration and there may not be sufficient network and treatment plant capacity.

Stormwater management planning is also required.

The land is identified for development as part of Waikato 2070 and so it is expected that it is generally feasible but specific constraints need to be identified and servicing investigated and planned.

5. Conclusions

The residential developments are likely to be able to be serviced for the Three Waters. Further assessment will be required to confirm network capacity and the required approach for flood management.

Some industrial and commercial development to the east of Taupiri is also likely to be feasible as this has been identified through Waikato 2070. Specific proposals will need to be considered further in terms of wastewater and water network and treatment plant capacity.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
From: Skip Fourie, Beca Ltd
Copy: Carolyn Wratt, WDC Consultant
Subject: Technical Specialist Review, Transport – Ngaruawahia

Date: 14 April 2021
Our Ref: 4214056-1680710091-12

Experience and Qualifications

My full name is Gideon Jacobus Scheepers (Skip) Fourie.

I am an Associate Transportation Planner employed by Beca Ltd (Beca), a multi-disciplinary professional services consultancy firm based in New Zealand.

I hold a Bachelor (Honours) of Town and Regional Planning (2007) and a Masters degree specialising in Transportation Planning (2014) from the University of Pretoria in South Africa.

I have a total of 12 years' experience in the field of transportation planning and traffic engineering gained through 6 years of employment in South Africa, 2 years of employment in Dubai, United Arab Emirates and 4 years in New Zealand.

I have wide-ranging experience in traffic and transportation engineering fields, ranging from transport assessments, traffic modelling, safety audits, parking strategies, feasibility studies and business case writing.

1. Introduction and Purpose

Beca has been engaged by Waikato District Council (WDC) to review statements of evidence filed with the Council accompanying submissions seeking a change in zoning under the District Plan. This review provides high level commentary on the suitability of the information and recommendations to be relied upon at the Proposed Waikato District Plan (PWDP) hearing.

The purpose of this assessment is to consider the following aspects of the application:

- a) Has sufficient and appropriate information has been included in the assessment
- b) Are the assumptions sound and reasonable
- c) Are the proposed solutions technically feasible and realistic
- d) Are the timeframes for upgrades or connections realistic; and
- e) Are there any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents Considered

- Statement of Evidence of Tim Lester dated 17 February 2021, Waikato District Plan Review Submission.

Memorandum

Limitations

As per the agreed scope, this desktop review has been carried out by reading the above documents and providing comment on the suitability of the information and recommendations to be relied upon at the Proposed Waikato District Plan (PWDP) hearing.

No site visits have been undertaken and the information referred to in the documents and calculations has not been verified in detail.

This is not a peer review of the statement of evidence. Further assessment may be required.

3. Overview of Technical Matters

Proposal Overview

The site consists of approximately 6.35ha, located centrally within the Ngaruawahia Township that is currently a mixed-use zone (being Living Zone and Country Living Zone), and is proposed to be rural zone in the PWDP. The applicant has proposed a zone change, and seeks the entire property to be zoned to Residential as a part of the PWDP review process.

The site is currently bounded by local roads, these being Uenuku Street (west), and Mariner Street (south). Access is proposed from these two roads as well as providing a connecting road from Uenuku to Mariner Street.

The proposed rezoning is to enable approximately 47 residential allotments and one country living zone (for storm water/drainage purposes).

Scope of evidence

The applicant has provided a general summary of evidence including the following key areas pertaining to the proposal:

- Ngaruawahia Residential Area
- PWDP Submission
 - Site Suitability
 - Objective and Policy Matters
 - KiwiRail Consultation.
- Submission Summary & Conclusion

4. Assessment Undertaken

The applicant has provided largely planning and geotechnical investigation information within their statement of evidence.

The statement of evidence does not provide specific assessment pertaining to traffic and transport matters.

5. Comments on Adequacy of Assessment

The applicant indicates that scale and intensity of the proposed rezoning request is likely to generate only a minor increase in traffic and transportation demand. The proposed Concept Plan for the

Memorandum

residential allotment shows adequate access to be taken from Uenuku Street and Mariner Street (including connecting these roads by way of a new internal road).

I consider it likely that Uenuku Street will need to be upgraded (carriageway widening) to provide suitable access for the development. Mariner Street will require a footpath and a safe pedestrian crossing facility to connect to the footpath on the south side of Havelock Road. I expect this would be assessed and confirmed at the subdivision stage. I consider an Integrated Transport Assessment (ITA) will need be undertaken in order to assess the access provision, safety and alternative travel modes to and from the site. An ITA would typically be undertaken at the subdivision stage.

6. Conclusions

I consider that proposed rezoning will have insignificant traffic and transport impacts on the road network and wider PWDP.

An ITA is recommended to be completed at the subdivision stage in order to assess the effects and mitigation, and I expect the developer would commit to delivering the recommendations of the ITA.

From a traffic and transportation perspective, beyond the matters identified above, I have not identified any additional potential or actual issues that the planner and Hearings Panel need to be aware of in considering the application for residential zoning.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
From: Skip Fourie, Beca Ltd
Copy: Carolyn Wratt, WDC Consultant
Subject: Technical Specialist Review, Transport – Horotiu

Date: 14 April 2021
Our Ref: 4214056-1680710091-12

Experience and Qualifications

My full name is Gideon Jacobus Scheepers (Skip) Fourie.

I am an Associate Transportation Planner employed by Beca Ltd (Beca), a multi-disciplinary professional services consultancy firm based in New Zealand.

I hold a Bachelor (Honours) of Town and Regional Planning (2007) and a Masters degree specialising in Transportation Planning (2014) from the University of Pretoria in South Africa.

I have a total of 12 years' experience in the field of transportation planning and traffic engineering gained through 6 years of employment in South Africa, 2 years of employment in Dubai, United Arab Emirates and 4 years in New Zealand.

I have wide-ranging experience in traffic and transportation engineering fields, ranging from transport assessments, traffic modelling, safety audits, parking strategies, feasibility studies and business case writing.

1. Introduction and Purpose

Beca has been engaged by Waikato District Council (WDC) to review statements of evidence filed with the Council accompanying submissions seeking a change in zoning under the District Plan. This review provides high level commentary on the suitability of the information and recommendations to be relied upon at the Proposed Waikato District Plan (PWDP) hearing.

The purpose of this assessment is to consider the following aspects of the application:

- a. Has sufficient and appropriate information has been included in the assessment
- b. Are the assumptions sound and reasonable
- c. Are the proposed solutions technically feasible and realistic
- d. Are the timeframes for upgrades or connections realistic; and
- e. Are there any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents Considered

- Statement of Evidence of Aaron Collier for Perry Group Limited, (submitter 1313), dated 17 February 2021, Waikato District Plan Review Submission
- Waikato District Plan Review: Horotiu West Proposed Deferred Residential Zoning, prepared by TDG, dated 26 March 2018 (letter of advice extracted from WDC website).

Memorandum

Limitations

As per the agreed scope, this desktop review has been carried out by reading the above documents and providing comment on the suitability of the information and recommendations to be relied upon at the PWDP hearing.

No Integrated Transport Assessment (ITA) has been prepared to examine the impact of the proposal.

No site visits have been undertaken and the information referred to in the documents and calculations has not been verified in detail.

This is not a peer review of the statement of evidence or traffic report. Further assessment may be required.

3. Overview of Technical Matters

Proposal Overview

The rezoning request relates to the addition of a further 1.3 hectares of land adjacent to the existing residential zone at Kernott Road, Horotiu.

The rezoning request is to incorporate a pocket of land which has been left isolated between Waka Kotahi (New Zealand Transport Agency) road reserve and the PWDP residential zone.

The main reason for the request is that the area shown as rural in the proposed plan as notified is isolated and fragmented from the remainder of the rural zone and the most appropriate zoning of this land is considered to be residential.

Scope of evidence

The applicant has provided a general summary of evidence including the following key areas pertaining to the proposal:

- Perry Group's engagement with WDC
- Post notification considerations affecting zoning
 - Further land and household capacity
 - Impact of the National Policy Statement on Urban Development (NPSUD) and policy conflicts
- Proposed rezoning (Map only)
- Resource Management Act (RMA) s32AA evaluation.

4. Assessment Undertaken

The applicant has provided largely planning information within their statement of evidence.

The statement of evidence does not provide a specific assessment pertaining to traffic and transport matters. However, the 2018 TDG traffic assessment appears to remain relevant. This assessment considered the full site including the 1.3ha area subject to the rezoning request.

The 2018 assessment proposes direct access onto Great South Road (GSR) at a new signalised intersection. It is unclear whether this intersection improvement is a commitment by the submitter.

I consider an assessment of appropriate intersection form will be necessary at the subdivision stage, including consultation with WDC to confirm the viability of this access. I would also expect that other

Memorandum

recommendations in the 2018 assessment regarding pedestrian and cycle connections are also committed to at subdivision stage.

5. Comments on Adequacy of Assessment

The scale and intensity of the proposed rezoning request is likely to generate an insignificant change in travel demand compared with the current surrounding zoning.

I consider that the statement of evidence and traffic letter adequate to support the proposed rezoning.

I consider that further / updated transport assessment and mitigation for the full residential zoned area will be necessary at the subdivision stage. This should confirm access provision, safety and facilities for alternative travel modes to and from the site. An ITA would typically be undertaken at the subdivision stage.

6. Conclusions

I consider that proposed rezoning (additional 1.3ha residential) is unlikely to have adverse traffic and transport impacts on the road network and wider PDP.

An ITA is recommended to be completed at the subdivision stage in order to assess the effects and mitigation, and I expect the developer would commit to delivering the recommendations of the ITA.

Memorandum

To: District Plan – Resource Management Policy Team, Waikato District Council
From: Skip Fourie, Beca Ltd
Copy: Carolyn Wratt, WDC Consultant
Subject: Technical Specialist Review, Transport – Taupiri (submitter 805 & 974)
Date: 14 April 2021
Our Ref: 4214056-1680710091-12

Experience and Qualifications

My full name is Gideon Jacobus Scheepers (Skip) Fourie.

I am an Associate Transportation Planner employed by Beca Ltd (Beca), a multi-disciplinary professional services consultancy firm based in New Zealand.

I hold a Bachelor (Honours) of Town and Regional Planning (2007) and a Masters degree specialising in Transportation Planning (2014) from the University of Pretoria in South Africa.

I have a total of 12 years' experience in the field of transportation planning and traffic engineering gained through 6 years of employment in South Africa, 2 years of employment in Dubai, United Arab Emirates and 4 years in New Zealand.

I have wide-ranging experience in traffic and transportation engineering fields, ranging from transport assessments, traffic modelling, safety audits, parking strategies, feasibility studies and business case writing.

1. Introduction and Purpose

Beca has been engaged by Waikato District Council (WDC) to review statements of evidence filed with the Council accompanying submissions seeking a change in zoning under the District Plan. This review provides high level commentary on the suitability of the information and recommendations to be relied upon at the Proposed Waikato District Plan (PWDP) hearing.

The purpose of this assessment is to consider the following aspects of the application:

- a. Has sufficient and appropriate information has been included in the assessment
- b. Are the assumptions sound and reasonable
- c. Are the proposed solutions technically feasible and realistic
- d. Are the timeframes for upgrades or connections realistic; and
- e. Are there any potential or actual issues that the planner and Hearings Panel need to be aware of.

2. Documents Considered

- Statement of Evidence of Tim Lester on behalf of Howard Lovell (Submitter Number 805 & 974), dated 17 February 2021, Waikato District Plan Review Submission
- Taupiri Village Expansion Area Section S32AA Report, Submitter 805
- Taupiri Village Expansion Area Section S32AA Report Addendum, Submitter 805
- 127 Great South Road Section S32AA Report, Submitter 974.

Memorandum

Limitations

As per the agreed scope, this desktop review has been carried out by reading the above documents and providing comment on the suitability of the information and recommendations to be relied upon at the Proposed Waikato District Plan hearing.

No site visits have been undertaken and the information referred to in the documents and calculations has not been verified in detail.

This is not a peer review of the evidence. Further assessment may be required.

3. Overview of Technical Matters

Proposal Overview

Submitter 804: Taupiri Village Expansion Area (TVEA)

The land subject to the submitter 805 evidence is referred to as the TVEA and seeks to change the zoning of the land from Rural to Residential. The TVEA total area is approximately 95ha to the south of the existing Taupiri township.

The applicant has identified that a net developable area of 15ha is identified as suitable for residential development, with an expected conservative yield of 163 residential allotments. There is an additional creation of approximately 90 residential allotments to the north of the TVEA and within land zoned as New Residential highlighted in the applicant's evidence.

Scope of evidence

The applicant has provided specific commentary in their statement of evidence on mostly planning matters, including:

- PDP objectives and policies
- Higher-order policy documents and strategies
- Good planning practice.

The only assessment for Submission 805 regarding transport includes the following wording in the statement of evidence:

'Submitter 805 contends that the TVEA as sought can be accommodated through the continuation of transportation corridors that have been constructed to the north of the area (Taraheke Drive), and within the section of the submitters land that is currently zoned New Residential.

The Submitter has engaged transportation engineers in regard to the development of their land immediately abutting (north) of the TVEA, to which assessment recommendations have indicated that the increase in traffic is well within the capacity of the surrounding local and arterial networks.

An assessment of the locations transportation network was provided for the Submitters Stage 1 and 2 residential development within the bounds of the current PDP residential zone has indicated a traffic reduction of up to 6,000vpd resulting from the Huntly bypass section of the Waikato Expressway, with the consequential effect being that additional traffic generation from the PDP and TVEA being able to be accommodated by the adjacent sections of local and regional transportation corridors'.

Memorandum

Submission 974: 127 Great South Road

The applicant has submitted an application for Rezoning 127 Great South Road from Rural to Residential. The subject land (1 ha) is an isolated pocket of rural land which is surrounded by residential land use and an urbanized transportation corridor. It is fully serviceable from existing infrastructure contained within the area.

The applicant considers it is impractical to use the site for farming activities and identifies that the site's urbanised setting (infrastructure provision, street lighting, bus stop etc.) has resulted in a viable rezoning request under the WDPR process.

The proposed structure plan for the allotment shows adequate access to be taken from Great South Road.

No specific evidence was presented for traffic and transport matters.

4. Assessment Undertaken

The statement of evidence does not provide a specific assessment of the traffic and transport effects and mitigation pertinent to the rezoning requests.

5. Comments on Adequacy of Assessment

I consider the scale and intensity of the 127 Great South Road rezoning request will only result in a minor increase in traffic and transportation demand.

It is expected that a suitable transport / traffic assessment will be undertaken at the subdivision stage in order to assess the proposed access provision from Great South Road, safety issues and the need for facilities for alternative travel modes to and from the site.

The scale and intensity of the TVEA request is significantly larger. The traffic and transportation effects of the proposal may therefore be more than minor. At present there is insufficient evidence provided to determine that the effects can be adequately accommodated by the existing transport networks, and no specific transport mitigation is proposed.

6. Conclusions

I consider that the 127 Great South Road request will probably have an insignificant traffic and transport impacts on the road network and wider PDP. The level of assessment provided for this proposal is adequate considering the scale of the site. I recommend that a suitable traffic / transport assessment is completed at the subdivision stage.

I consider that the traffic and transport effects of the TVEA request could be more than minor, as the evidence submitted does not provide a specific assessment of transport effects and mitigation. In my opinion more specific and detailed evidence would be required before the rezoning request can be approved.