

Before the Waikato District Council Hearings Commissioners

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

Hearing 25 – Zone Extents

**SUMMARY STATEMENT OF EVIDENCE OF AARON COLLIER
FOR PERRY GROUP LIMITED IN RELATION TO
HEARING 25 – REZONING, HOROTIU
17 MAY 2021**

1. Summary

- 1.1 This summary has been prepared based on my Statement of Evidence dated 17th February 2021. My evidence related to the rezoning request by Perry Group Limited to rezone 1.3 hectares of NZTA land adjacent to the residential zone and the Waikato Expressway from rural to residential. I agree with the reporting Planners s.42A report that Perry Developments land at Horotiu (approximately 18.5ha) should be rezoned as notified. I anticipate a yield from this area of approximately 300 lots.
- 1.2 Included in support of my evidence was analysis to rezone a further 1.3 hectares which is adjacent to the Expressway. I understand that the land in question is surplus to requirements and is to be returned to Perry's.
- 1.3 Because of its small scale and where it is, the land does not in my view raise any significant issues in terms of development capacity or strategic planning alignment. The land was not included in the original Horotiu Structure plan, as at that time it was required for roading purposes. As rural land, the 1.3ha site will be squeezed and constrained by where it is (against the Expressway boundary). The area and is indicated in yellow on Figure1 below.



Figure 1: Indicative development plan from AECOM Services & infrastructure Assessment 2018

- 1.4 The above plan was included with the Infrastructure Assessment provided to Waikato District Council in support of rezoning the land by Perry's in 2018 and shows most of the land along site the Waikato Expressway as either open space or as a stormwater management area. Given the sites topography and location, in my opinion it is

unlikely that much (if any) of the 1.3ha area would be developed for residential housing. Rather it is likely to be incorporated within a wider master planned development as an open space/stormwater management area. Even if the 1.3ha were to be developed for residential (taking into account setbacks from the expressway and other requirements) in my view it would yield no more than 10 lots.

- 1.5 To retain such a small area of rural zoned land and in an urban setting is in my opinion not an appropriate planning outcome. The area is isolated and fragmented from the remainder of the rural zone. A rural zoning will also have a knock-on effect for the future assessment and status of Perry's development plans for the wider site.
- 1.6 The land is bordered by the residential, commercial, and industrial zones and the expressway. Under residential zoning the site could be integrated for stormwater and open space needs as part of Perry's future master planned development. I note that there are no alternative zones (such as open space or stormwater zones) which can be applied as an alternative to such areas in an urban context.
- 1.7 The Section 32A report and the evidence from Whaka Kotahi and Ports of Auckland oppose the rezoning of the additional 1.3 hectares.
- 1.8 Mr Woods Statement of Evidence (on behalf of Waka Kotahi) identifies that both stormwater and noise management issues have not yet been resolved with Waka Kotahi. This is correct and is not an unusual situation given that negotiations to return land acquired for public works can be prolonged and difficult.
- 1.9 Should Perry's develop the land, then acoustic conditions would apply to any future residential development (100m noise sensitive area and a specific yard). Such provisions are typical to address effects, having been applied to numerous District plans across the country. If these could not be met then non-compliance would trigger a specific resource consent.
- 1.10 I agree with the evidence of Mark Arbuthnot that the potential for reverse sensitivity can be managed by applying the Horotiu acoustic overlay (as has been applied to the proposed residential zoned land owned by Perry's). I would agree that this overlay could be imposed and would need to be complied with by future residential development.
- 1.11 Even if the 1.3 hectares were to be developed for residential purposes, the yield is likely to consist of a relatively small number of residential allotments given the lands ground conditions and the need for setbacks from the Expressway.

Aaron Collier
Planner
17 May 2021