

BEFORE THE WAIKATO DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato District Plan –
Hearing 25: Rezoning

**STATEMENT OF EVIDENCE “*HIGHLIGHTS PACKAGE*” OF TIM
LESTER (PLANNER)**

**ON BEHALF OF HOWARD LOVELL AND RUDY VAN DAM
(SUBMITTER NUMBER 805 & 974)**

**DATED 12th DAY OF
MAY 2021**

- 1.1 A comprehensive Submission and s32AA evaluation was prepared on behalf of Howard Lovell and Rudy van Dam (original Submitter 805 and 974) on the PDP for amendments to the Residential and Business Zone on the Notified Planning Maps as they relate to Taupiri Village. These submissions related to the Taupiri Village Expansion Area (TVEA), as well as a smaller parcel of land located at 129 Great South Road (Submission 974).
- 1.2 The TVEA submission represented a joint submission and related to a contiguous 77ha piece of land under the ownership of Mr Howard Lovell and Mr Rudy van Dam.
- 1.3 The area contained within the TVEA has previously gone through a Public plan change process in 2017 which created the New Residential Zone. Development which has occurred to date has seen 50% of this land already developed in 3.5 years with demand proving to be strong.
- 1.4 Information provided by the Council (s42A Framework Report) indicates that previous growth projects were conservative, and that under the PDP process consideration to expand urban growth areas should be undertaken to enable growth. This is what the TVEA proposes to do – enable growth in Taupiri in such a way as to recognise the effect of the SH1 Huntly bypass, as well as to advance strategic growth documents.
- 1.5 The TVEA has been explicitly (and consistently) identified in the following strategic growth documents: including:
 - *Waikato Regional Policy Statement*
 - *Future Proof 2017*
 - *Waikato 2070*
 - *Hamilton – Waikato Metro Spatial Plan*...and furthermore will aid Council in meeting their statutory obligations under the NPSUD 2020.
- 1.6 The TVEA has been recognised in all of these growth documents and it is my professional opinion that the appropriate opportunity to advance this strategically important growth area is provided here and now under the Waikato District Plan comprehensive review process.
- 1.7 The TVEA has been considered from a physical perspective whereby the development potential of the land is demonstrable through the construction of residential allotments, roading, stormwater infrastructure within the New Residential Zone immediately to the north. Land contained within TEVA is of a similar nature and landform as that contained within the New Residential Zone (i.e., dominated by a central gully area) – and therefore it is submitted that future construction of the TVEA is viable from environmental and economic perspectives.
- 1.8 High-level three waters reporting for the TVEA has been provided in support of the submission whereby it was evident that connectivity and expansion to such infrastructure is feasible – this provided enough certainty so as to present the TVEA as a viable consideration for appropriate rezoning in the proposed District planning maps.
- 1.9 The land owned by Mr van Dam is also contained within the TVEA and is strategically located to the east - thus enabling a critical west to east transportation connection to Gordonton Road. The

landform in Mr van Dam's property is similar to that of Mr Lovell's in that it enables contiguous development opportunities that have been strategically and formally recognised in the urban growth documents mentioned above.

1.10 The recommendation made in the section 42A report were not supportive of the TEVA being subject to 'Live-zoning' primarily due to the limited technical reporting that was submitted as part of the submission and section 32AA evaluation - as well as uncertainty that infrastructure provision could be provided responsively to enable the sought development.

1.11 The s42a recommendation also noted the land contained within Mr van Dam's property was not contained within Future Proof and therefore it was inappropriate to *live-zone* the area to urban.

1.12 In response to the first point – I disagree with the recommendation not to have the TEVA rezoned; however, I do agree that the use of a Future Urban Zone over the TVEA area to the effect that it is suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use. I reiterate the point made in the initial submission and s32AA report whereby staging within the TVEA can extend, with confidence, from the current new Residential Zone through the application of area specific structure plans. The Submitters both understand and accept that Structure Planning within the TVEA is a suitable way forward.

1.13 I would like to reiterate the appropriateness of applying a FUZ to the TVEA is also confirmed by the Waikato Regional Council – in particular, the position of the Regional Council is that they:

- *Support a future urban zone as MSP identifies the area for further investigation.*
- *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.*

(WRC: evidence of Ms Foley)

1.14 I agree with the Regional Council's position as it gives significant weight to the strategic growth recognition of the TVEA and greenfield development. I also agree that a FUZ is appropriate to ensure infrastructure provision, particularly in the piece of land in the TVEA owned by Mr van Dam.

1.15 I note that the TVEA has not been explicitly addressed in the Hearing 25: Framework report: Supplementary Evidence of Dr Mark Davey as a result of the dismissive s42A live-zoning recommendation. I do note, however, that throughout the supplementary evidence of Dr Davey, comments are made to the extent that the supply of additional land - as recommended in the various s42 reporting - only "marginally" satisfies demand across the district.

1.16 Another applicable consideration presented in the supplementary evidence of Dr Davey is (as taken from the s42a recommendations) a recognised short fall in 'employment land' within the District:

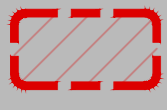

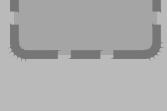


"In respect to employment land, the comparison between the operative WDP, the PWDP and the s42A zoning recommendations shows very minimal change. I believe this to be of particular concern"

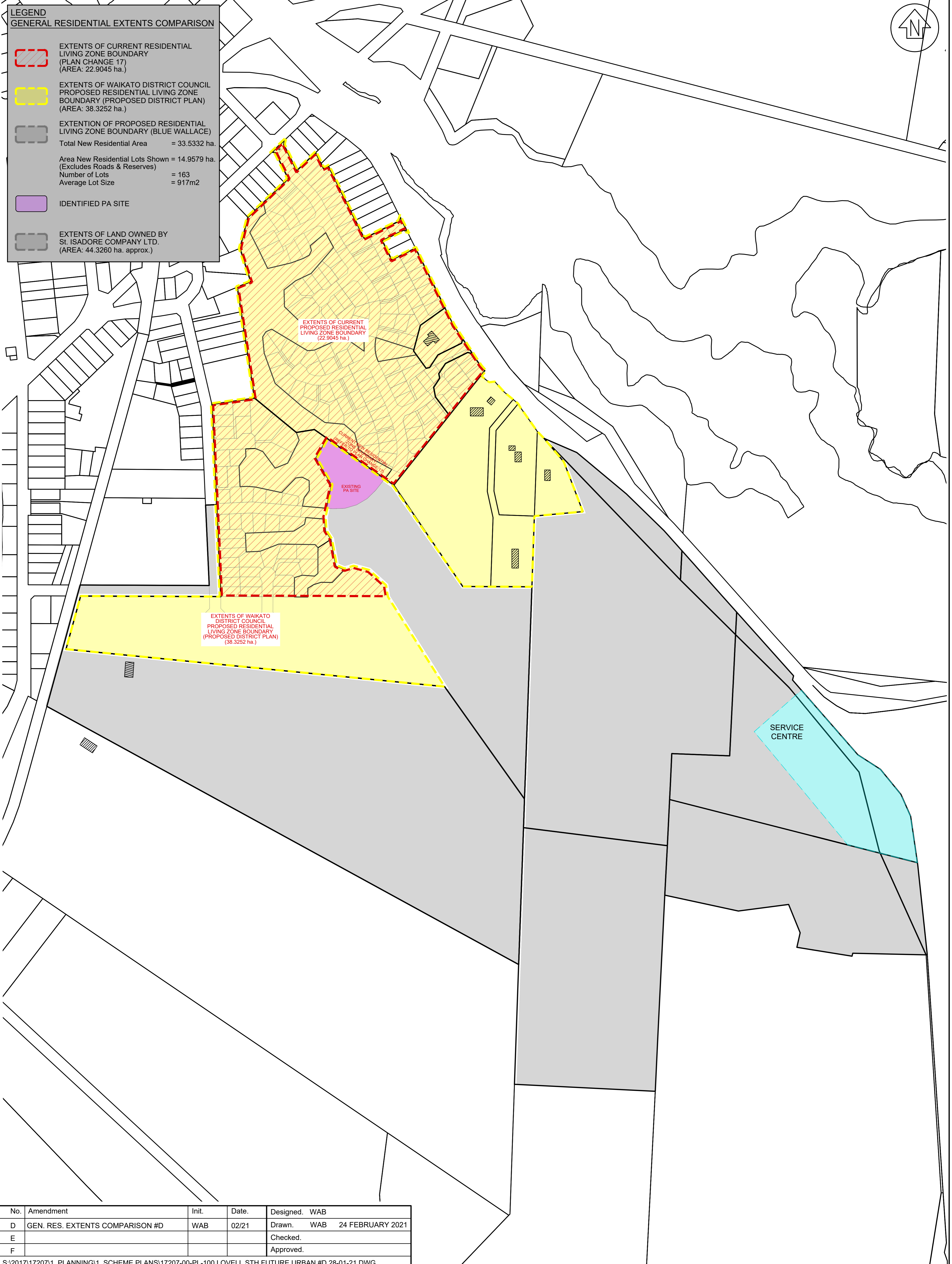
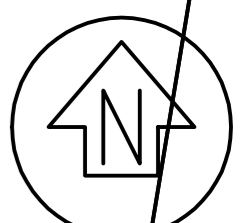
- 1.17 The supply concerns of such 'employment land' will be significantly mitigated through a FUZ being applied to the TVEA – particularly the land under the ownership of Mr van Dam.
- 1.18 Regarding 129 Great South Road – the scale and intensity of the rezoning request represents only a minor amendment to the PDP Planning Map – and given the surrounding residential environment of the rezoning such a request again represents a sensible 'live-zoning' undertaking to include with the district plan review process.
- 1.19 The Site serves no functional use for the underlying rural zone as it is discrete from the main rural production land use to the east (on the opposite side of the rail corridor), and currently represents an underutilised residential resource for the District.
- 1.20 The reasons provided by the s42A processing planner to dismiss the amended residential zoning were that the site is outside of the Taupiri Village urban extent under the 2017 Future Proof document, as well as the effect the residential land use will have in regard to reverse sensitivity to the section of KiwiRail corridor.
- 1.21 As discussed in my evidence in chief – allowances for rezoning land have been expressed by Council in relation to land that abuts urban settlement areas, and that such rezoning requests can be considered. To reiterate, the land at 129 Great South Road abuts a residential settlement area, and also abuts the Future Proof 2017 urban limit extent; furthermore, consideration should be applied to:
- *The residential environment surrounding the site.*
 - *The availability of infrastructure (ww and ws).*
 - *An accepted sw solution (to vest the sites gully section as sw reserve) – as confirmed by the evidence of the Waikato Regional Council.*
 - *The land is unviable from a rural production perspective.*
- The land represents infrastructure ready housing supply capacity which should be readily accepted by Council for *live rezoning*.
- 1.22 The reverse sensitivity constraint expressed by the s42A processing planner does not in my opinion present a strong rationale to not amending the residential zoning of the Site. Setbacks can be provided to the same extent as any other residential land abutting the rail corridor. Management of reverse sensitivity effects can be confirmed at the consenting stage of the land development, whereby the option to register non-complaint covenants over the new Records of Title present further mitigation that can be provided to lessen reverse sensitivity effects.
- 1.23 Overall, and based on the physical and policy environment applicable to the Site – the s42A recommendation not to rezone the land at 129 Great South Road because it is no different to

other rural fringe land is unconvincing (for the reasons provided in my evidence in chief).

- 1.24 The rezoning of the land as sought by Mr Lovell is a pragmatic undertaking with the benefits clearly outweighing precedent and/or reverse sensitivity negatives that were raised in the processing planner's recommendation.
- 1.25 A live rezoning to residential is requested in regard to 129 Great South Road.
- 1.26 In summary - the Submitters have been in discussions with Council as far back as 2016 in regard to the TVEA being presented under the Waikato District Council comprehensive district plan review. The TVEA land has proven itself to be developable given its proximity to the rapid development within the New Residential Zone, and the TVEA has been recognised for growth capacity in all of the relevant strategic growth documents that are applicable to the area.
- 1.27 Any remaining concerns Council may hold in regard to the provision of infrastructure to the whole of the TVEA can be addressed by the willingness of both Mr Lovell and Mr van Dam to develop their land in accordance with strategic growth for Taupiri Village, and furthermore that such development can be pre-empted through the provision of detailed structure plans as directed by a TVEA *Future Urban Zoning* of the land (see FUZ extent in the **Attached**).

LEGEND
GENERAL RESIDENTIAL EXTENTS COMPARISON

-  EXTENTS OF CURRENT RESIDENTIAL LIVING ZONE BOUNDARY (PLAN CHANGE 17) (AREA: 22.9045 ha.)
-  EXTENTS OF WAIKATO DISTRICT COUNCIL PROPOSED RESIDENTIAL LIVING ZONE BOUNDARY (PROPOSED DISTRICT PLAN) (AREA: 38.3252 ha.)
-  EXTENSION OF PROPOSED RESIDENTIAL LIVING ZONE BOUNDARY (BLUE WALLACE)
Total New Residential Area = 33.5332 ha.
Area New Residential Lots Shown = 14.9579 ha. (Excludes Roads & Reserves)
Number of Lots = 163
Average Lot Size = 917m²
-  IDENTIFIED PA SITE
-  EXTENTS OF LAND OWNED BY ST. ISADORE COMPANY LTD. (AREA: 44.3260 ha. approx.)



No.	Amendment	Init.	Date.	Designed.	WAB
D	GEN. RES. EXTENTS COMPARISON #D	WAB	02/21	Drawn.	WAB 24 FEBRUARY 2021
E				Checked.	
F				Approved.	

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GENERAL RESIDENTIAL EXTENTS COMPARISON
PROPOSED FUTURE URBAN ZONE PLAN
LOVELL SOUTH BLOCKS - TAUPIRI



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SCALE: 1:6000 @A3, 1:3000 @A1

DATE: MAY 2021

PREPARED FOR: H. LOVELL

Drawing Reference:
17207-00-PL-100

Revision:
D