

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS IN THE
WAIKATO REGION**

I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE WAIKATO

UNDER the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of Proposed Variation 3 to the Waikato Proposed
District Plan (PDP)

**STATEMENT OF EVIDENCE OF FIONA HILL
(HOROTIU STRATEGIC PLANNING)**

Dated 26 SEPTEMBER 2023

TOMPKINS | WAKE

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INTRODUCTION

1. My name is Fiona Elizabeth Hill. I am a Principal Policy Planner and have been employed by Waikato District Council since October 2022.
2. I have 29 years' experience, with six of those working in the greater Hamilton area. I have prior experience in development district plans including:
 - (a) Being directly involved in 4 different District Plan reviews (Rotorua District Council, Christchurch City Council, Waipā District Council and Waitomo District Council);
 - (b) At Waipā District Council I was also responsible for developing the original Growth Strategy that was linked to the provision of strategic infrastructure. Waipā 2050 was developed at the same times as Future Proof. It also provided guidance on staging and timing of development;
 - (c) At Waipā and Waitomo districts I was involved in the development of Town Concept Plans which provided strategic direction on land use and development within these environments; and
 - (d) At Christchurch City Council I was Team Leader for the review of the residential sections of the district plan, through the hearing and appeals phase of the City Plan review.
3. I hold a Master of Social Science (Resources and Environmental Planning, University of Waikato). I am a full member of the New Zealand Planning Institute.
4. The subject matter of this hearing relates to the submission lodged by Horotiu Farms Limited. I have, however not limited my assessment to this land but have considered Horotiu in its entirety.

CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF MY EVIDENCE

6. My evidence addresses the following:
- (a) Background to the identification of 'urban environments' and 'relevant residential zones' for Variation 3 as notified;
 - (b) Classification of Horotiu as an urban environment under section 77F of the RMA; and
 - (c) Conclusions.

VARIATION 3 AS NOTIFIED – URBAN ENVIRONMENTS

7. S77G(1) of the RMA requires the MDRS to be incorporated into every relevant residential zone. Relevant residential zone is defined as:

relevant residential zone—

(a) means all residential zones; but

(b) does not include—

(i) a large lot residential zone;

(ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment;

(iii) an offshore island

(iv) to avoid doubt, a settlement zone

8. The exclusion in (b)(ii) is the only criterion that could be relevant to Horotiu.
9. The definition of urban environment is contained in S77F of the RMA and is as follows:

***urban environment** means any area of land (regardless of size, and irrespective of territorial authority or statistical boundaries) that—*

- (a) is, or is intended by the specified territorial authority to be, predominantly urban in character; and*
 - (b) is, or is intended by the specified territorial authority to be, part of a housing and labour market of at least 10,000 people*
10. The criteria in the definition are conjunctive so both (a) and (b) need to be met. Hence where an area has a population of less than 5,000 people at the 2018 census and (a) and (b) are met then the 'town' must be considered an urban environment. If the 'town' meets the criteria then the exclusion in the definition of relevant residential zone is not met and the MDRS must be incorporated.
 11. Variation 3 as notified identified 4 towns in the District as containing relevant residential zones. These towns are: Tuakau, Pookeno, Huntly and Ngaaruawaahia. The rationale for identifying the 4 towns is contained in the Section 32 Report.
 12. In the Section 32 Report the 2018 census populations of the larger towns in the Waikato District are recorded. It is clear the population threshold of 5,000 people is exceeded for Huntly (8,342), Ngaaruawaahia (6,261), and Tuakau (5,016). The 2018 population of Pookeno is recorded as 2,517. The Council considered Pookeno should be included as it is recognised as an urban environment in Future Proof Strategy 2022.¹ Figure 9 in Future Proof identifies Urban Environments under the NPS:UD and includes Pookeno (refer below). Horotiu is not identified.

¹ Section 32, Volume 1, page 26

Figure 9: Urban environments under the NPS-UD

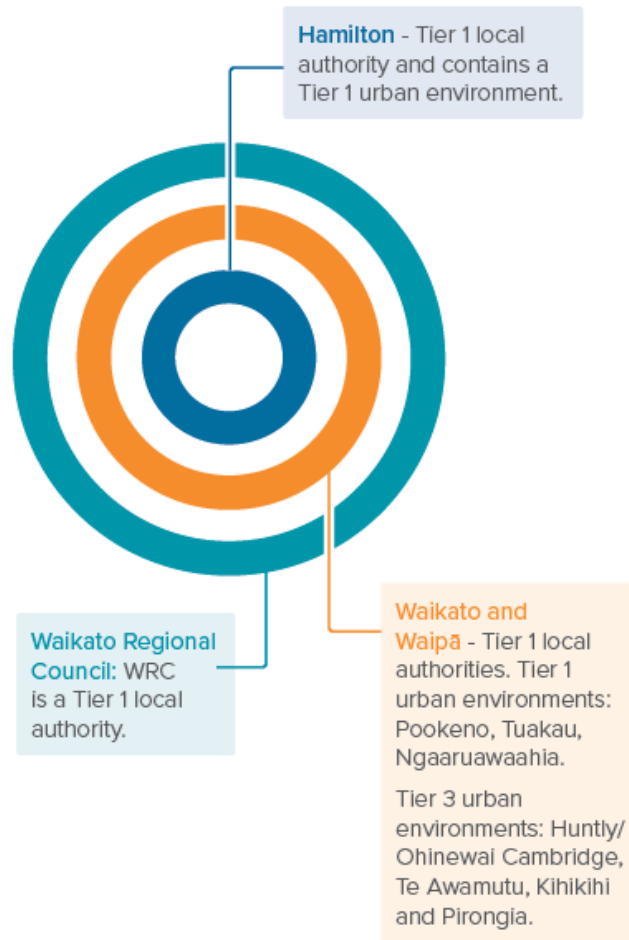


Figure 1: Future Proof Strategy Figure 9 Urban environments under the NPS-UD

CLASSIFICATION OF HOROTIU

13. With the receipt of the submission by Horotiu Farms Limited I have had a closer look at Horotiu.
13. In my opinion Horotiu is not automatically excluded from the definition of relevant residential zone. In terms of b(ii) I note the population of Horotiu was 624 people at the 2018 census, less than 5,000 threshold. In my opinion, it remains to be considered whether Horotiu is intended to be an urban environment, and if it is then the MDRS must be incorporated.
14. The definition of urban environment contains two parts. As the parts are conjunctive the analysis below considers both parts.

IS OR INTENDED BY THE SPECIFIED TERRITORIAL AUTHORITY TO BE PREDOMINANTLY URBAN IN CHARACTER

14. In my opinion, to arrive at a conclusion as to whether an area is or intended to be predominantly urban in character it is necessary to understand current land use as well as what is intended through the district plan and relevant strategy documents.

Current Land use and Character

15. The current land use pattern at Horotiu contains existing areas of residential, commercial, industrial development and rural land. The aerial photo in Figure 2 assists in explaining the area.



Figure 2: Aerial photograph of Horotiu (WDC GIS)

16. The existing residential development is a mix of 1 house on a section (Figure 3) and more recent duplex / comprehensive developments at higher densities (Figure 4). Current residential development is concentrated along Great South Road and in the area between Washer Road and Horotiu Bridge Road, as well as the residential area to the

southwest of Great South Road. Residential development along Great South Road and along Washer Road and Horotiu Bridge Road has footpaths, streetlights and other amenities typically associated with urban residential environments. There are less buildings and more of an open rural environment than the area between Horotiu Bridge Road and the State Highway.



Figure 3: Traditional 1 house on a section on Park Road in the established residential area to the south of Great South Road (Google Maps).



Figure 4: Recent duplex and comprehensive developments on Washer Road (Google Maps)

17. In respect of development at higher densities. The following applications have been granted and development has occurred:
 - (a) 54 Washer Road – 14 lot comprehensive development lot sizes from 300m² to 450m² with three duplex dwellings and 8 single dwellings;
 - (b) 60 Washer Road – 12 dwellings lot sizes from 300m² with the largest lot size being 397m²; and

- (c) 38 Washer Road – 23 lots with lot sizes from 270m² to 429m² including 4 duplex developments with each unit on its own lot.
- 18. The following applications have been received and/or are being processed:
 - (a) 98 Horotiu Bridge Road – 5 lots including 2 duplex dwelling and a single dwelling; and
 - (b) 108 Horotiu Bridge Road – 73 lot comprehensive residential development in 3 stages on 4.3709 ha, lot sizes vary from 209m². A proportion of the lots are proposed for duplex developments.
- 19. These developments and applications are all located between Washer Road and Horotiu Bridge Road.
- 20. Horotiu has long been occupied by industrial development. Significant industries are located along Great South Road including AFFCO, Open Country Dairy, a plastics manufacturer and a concrete batching plant. The Horotiu Industrial Park Precinct, known as Northgate Business Park, was zoned industrial as part of the submissions and hearings on the Operative District Plan. The provisions for the precinct are contained in Precinct 6 and enable: industrial activities, trade and industry training, service stations, ancillary office and retail, and food outlets.
- 21. Development is proceeding within the Precinct and includes the following:
 - (a) The establishment of the Ports of Auckland Freight Hub;
 - (b) Pre-school;
 - (c) Northpower depot;
 - (d) NZ Carpet Makers;

- (e) Civtec Ltd;
- (f) Waikato Valley Chocolates; and
- (g) Leisure Built Homes.

22. Whilst some parts of Northgate Business Park are still under development the area as a whole is urban in character with roads, footpaths, and streetlights, as shown in Figure 5 below. Where buildings have been constructed, they are of a nature and scale that would be typically associated with an urban environment. In my opinion the closeness of the buildings to each other and the road, and the storage of plant and vehicles are example of industrial developments that are urban in character.



Figure 5: Northgate Business Park (Google Maps)

23. The industrial developments further along Great South Road towards Ngaaruawaahia such as Open Country Dairy and AFFCO have more of a rural character, as shown below in Figure 6. Although these are large scale buildings they are set back further from the road and have large separation distances.



Figure 6: Open Country Dairy and AFFCO buildings set back from Great South Road (Google Maps)

24. Turning to community and commercial activities. Horotiu School (and playcentre) is located on Horotiu Bridge Road (see Figure 7). Horotiu also has an existing convenience shop and a place for children’s activities such as painting. Recently resource consent was granted to establish a doctor’s surgery on Washer Road across from Horotiu School. A pre-school has also established within the Horotiu Industrial Precinct. The local centre zoned properties fronting Great South Road are currently occupied by Keith Hay Homes and a business selling European car parts.



Figure 7: Horotiu School and playcentre on Horotiu Bridge Road (Google Maps)

Planning documents

Operative District Plan

25. Under the Operative District Plan, Horotiu has the following zones:
- (a) The area between Great South Road and the Waikato River is zoned residential, and country living zone with the area closest to the river having an Aggregate Extraction Policy Area overlay.

There are also business zoned properties (light blue). The gas line also goes through this area of Horotiu.

- (b) The area south of Great South Road is zoned heavy industrial and industrial park, with the block around Park Road containing an area of Living Zone, with some business zoned properties.

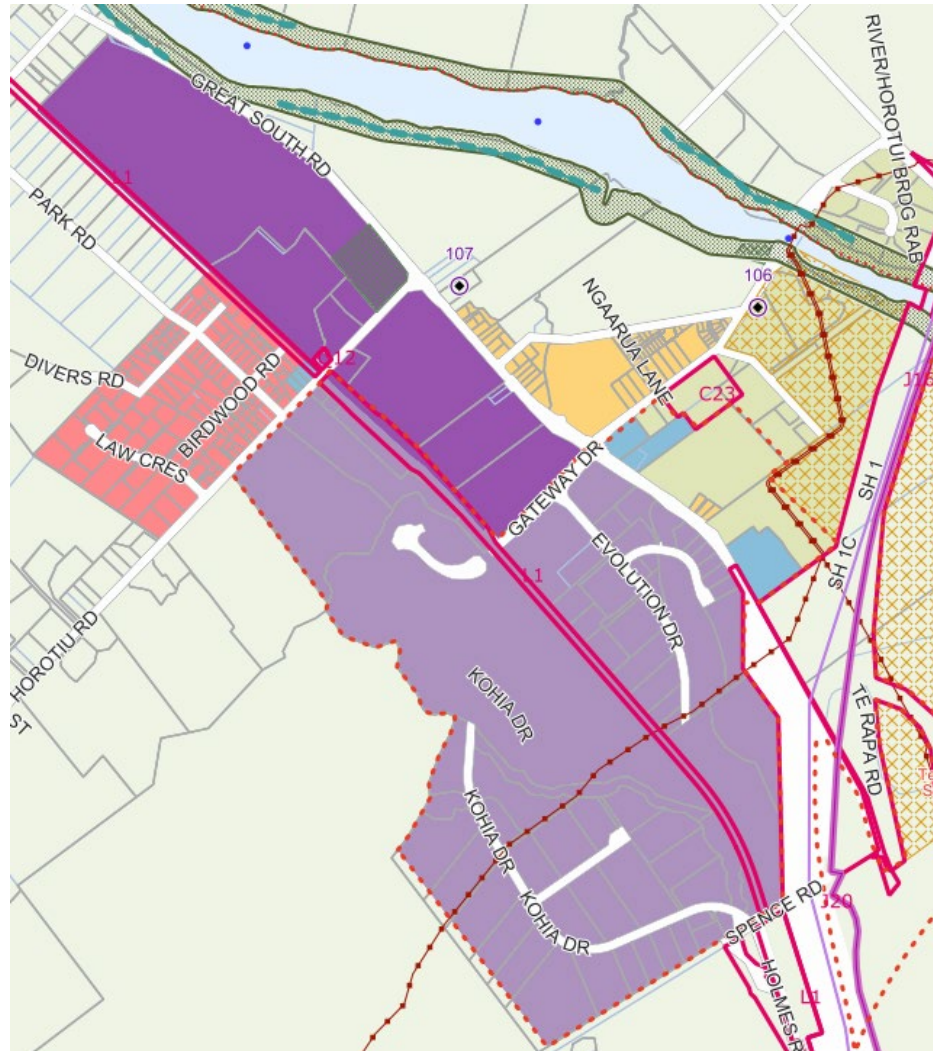


Figure 8: Operative District Plan map

Proposed District Plan

26. Under the Proposed District Plan Appeals version Horotiu has the following zones and/or special features identified:

- (a) General Residential Zone between Washer Road and the State Highway and the residential area to the southwest of the State Highway;

- (b) Heavy Industrial Zone and Horotiu Industrial Precinct;
 - (c) The existing businesses adjoining Great South Road have been zoned Local Centre Zone;
 - (d) Two Site and Areas of Significance to Maaori have been identified on the land north of Kernott Road; and
 - (e) The part of the site that adjoins the Waikato River is also located within a flood hazard overlay and within the Outstanding Natural Landscape of the Waikato River.
27. Two appeals have been lodged that affect this area. Blue Wallace Surveyors (ENV-2022-AKL-000032) have supported the rezoning of the site between Washer Road and Horotiu Bridge Road, but have sought to apply the multi-unit development rule or in the alternative to rezone the land to MRZ – Medium density residential zone. Federated Farmers who have appealed against the rules for Sites and Areas of Significance to Maaori (ENV-2022-AKL-000051).

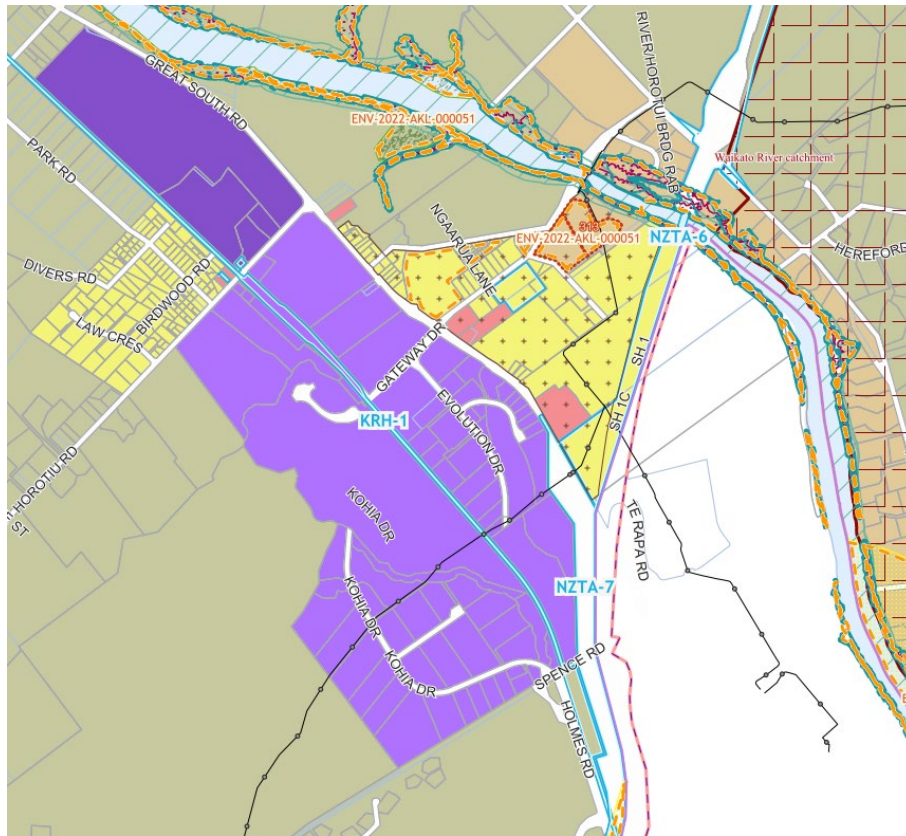


Figure 9: Proposed District Plan (Appeals Version)

Waikato 2070

28. Waikato 2070 was adopted by the Council in May 2020 and was prepared under the provisions of the Local Government Act. The purpose of the Strategy is to provide a long term plan to achieve the Council's vision of creating, liveable, thriving and connected communities throughout the district.
29. The strategy contains a development plan for Horotiu. It also identifies that Horotiu has an important future as a specialised business/industrial area at the sub-regional level. The development plan for Horotiu identifies residential development in the area between Horotiu Bridge Road and the State Highway. Residential development is identified as standalone dwellings of low density. The ongoing development of the Horotiu Industrial Precinct is also identified.

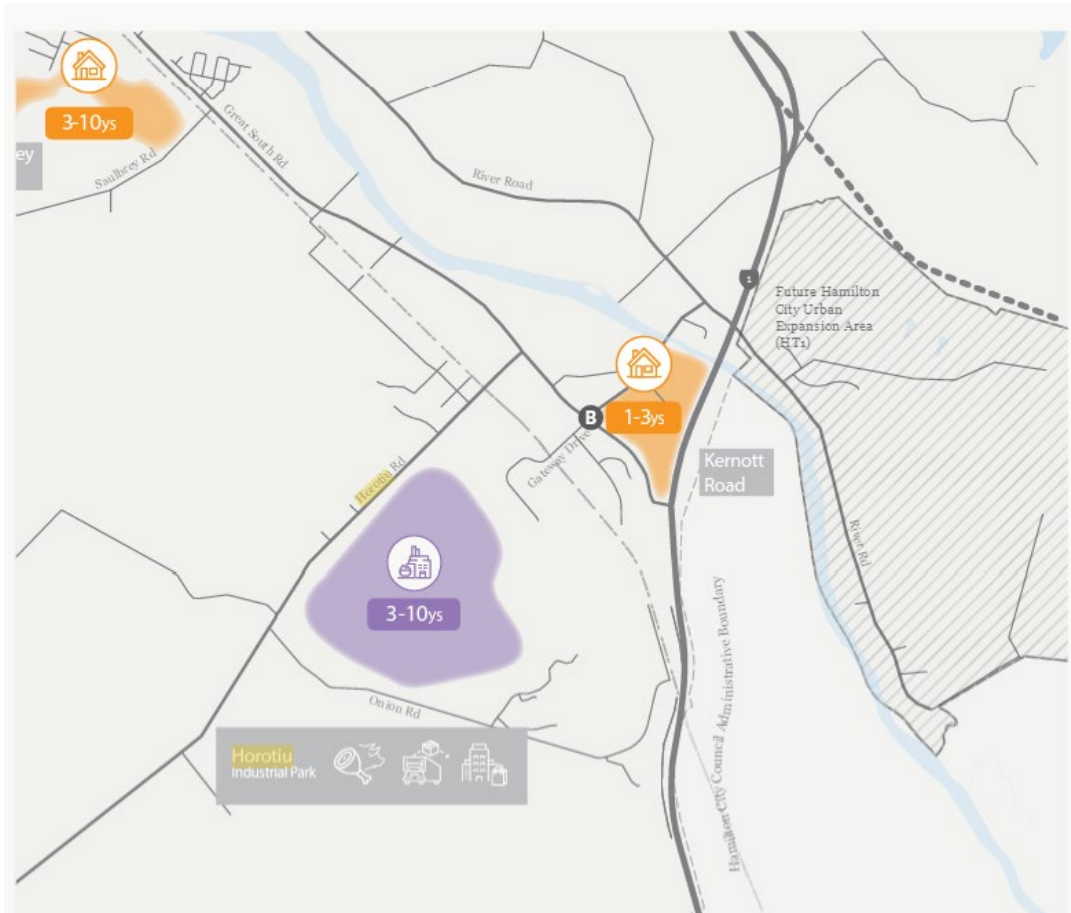


Figure 10: Waikato 2070

Ngaaruawaahia Structure Plan 2017

28. Waikato District Council prepared a structure plan for Ngaaruawaahia that was adopted in 2017. The structure plan is currently being reviewed, with consultation beginning shortly. The 2017 structure plan includes surrounding towns and settlements including Horotiu. Whilst the structure plan has been superseded by the zoning in the PDP, I consider it is still useful to record as part of this evidence the key changes envisaged as part of the 2017 structure plan. The key moves for Horotiu are identified on page 38 and are:

29.

- (a) Rezone land between Horotiu Bridge Road and Washer Road to residential;
- (b) Establish a retirement village near Horotiu;

- (c) Better walking and cycling connectivity through the settlement;
and;
 - (d) Connect new residential to reticulated water and sewage services.
30. These key moves reflect a desire for continued urban scale development of the town.

Future Proof

31. The most recent Future Proof Strategy was adopted by the Future Proof Implementation Committee in June 2022. It has been prepared under the provisions of the Local Government Act and has been given effect to through Proposed Change 1 to the RPS. I understand further work will be undertaken to the Strategy in 2024 so that it meets the NPS:UD requirements for a Future Development Strategy. The front part of the strategy states Future Proof Strategy 2022 incorporates the Hamilton to Auckland Corridors Plan, the Hamilton-Waikato Metropolitan Spatial Plan and other strategic documents. The strategy also states it builds on the requirements of the NPS-UD.
32. The Future Proof strategy is a 30-year growth management and implementation plan specific to Hamilton City, Waipā and Waikato Districts. The Strategy provides key growth directions within the Future Proof area. I have identified below key points from the strategy for Horotiu:
- (a) Strategic Industrial node: Horotiu is identified along with Te Rapa North and Rotokauri as a strategic industrial node;²
 - (b) Horotiu is identified as part of strong and productive economic corridor that links the employment areas of Ruakura, Hamilton central city and north, to Horotiu and Ngaaruawaahia;³ and

² Future Proof Strategy, page 72.

³ Future Proof Strategy, page 37.

(c) Horotiu is identified as being part of a rapid transit spine that links employment and residential hubs. Map 4 (shown in Figure 11 below) identifies Horotiu as being a key rapid public transport growth node.⁴

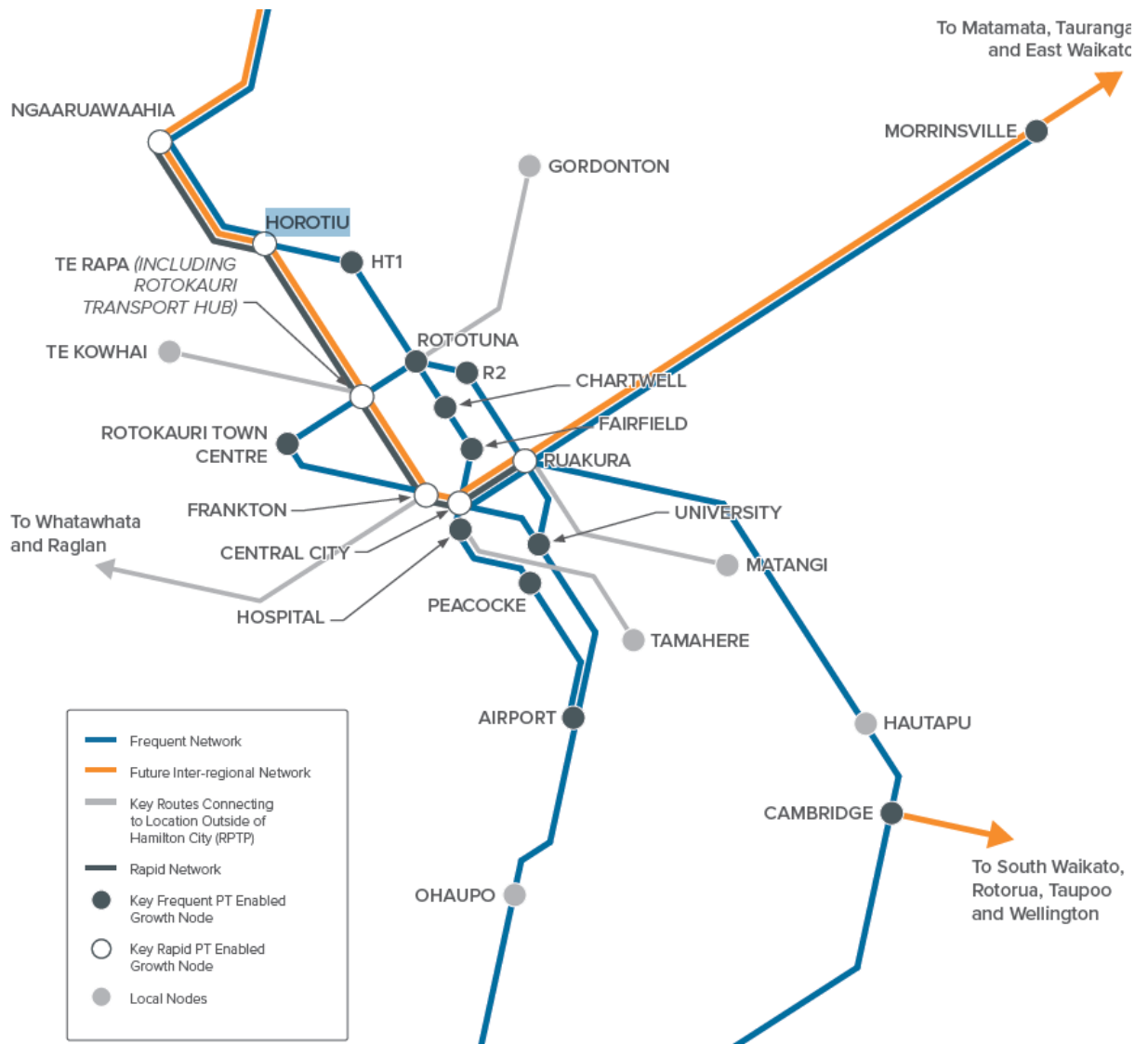


Figure 11: Future Proof Strategy Map 4 Metro public transport schematics

33. Horotiu is identified in Map 6 as an urban enablement area. Urban enablement areas are explained on page 60 as follows: “Over time, the majority of residential and business growth will be directed to within these urban enablement areas. Of this, over time, most growth will be

⁴ Future Proof Strategy, page 56.

within the areas identified as urban environments under the NPS-UD. Growth will also occur within defined urban enablement areas around smaller townships, and some limited growth will occur within village enablement areas as identified on map 6.”

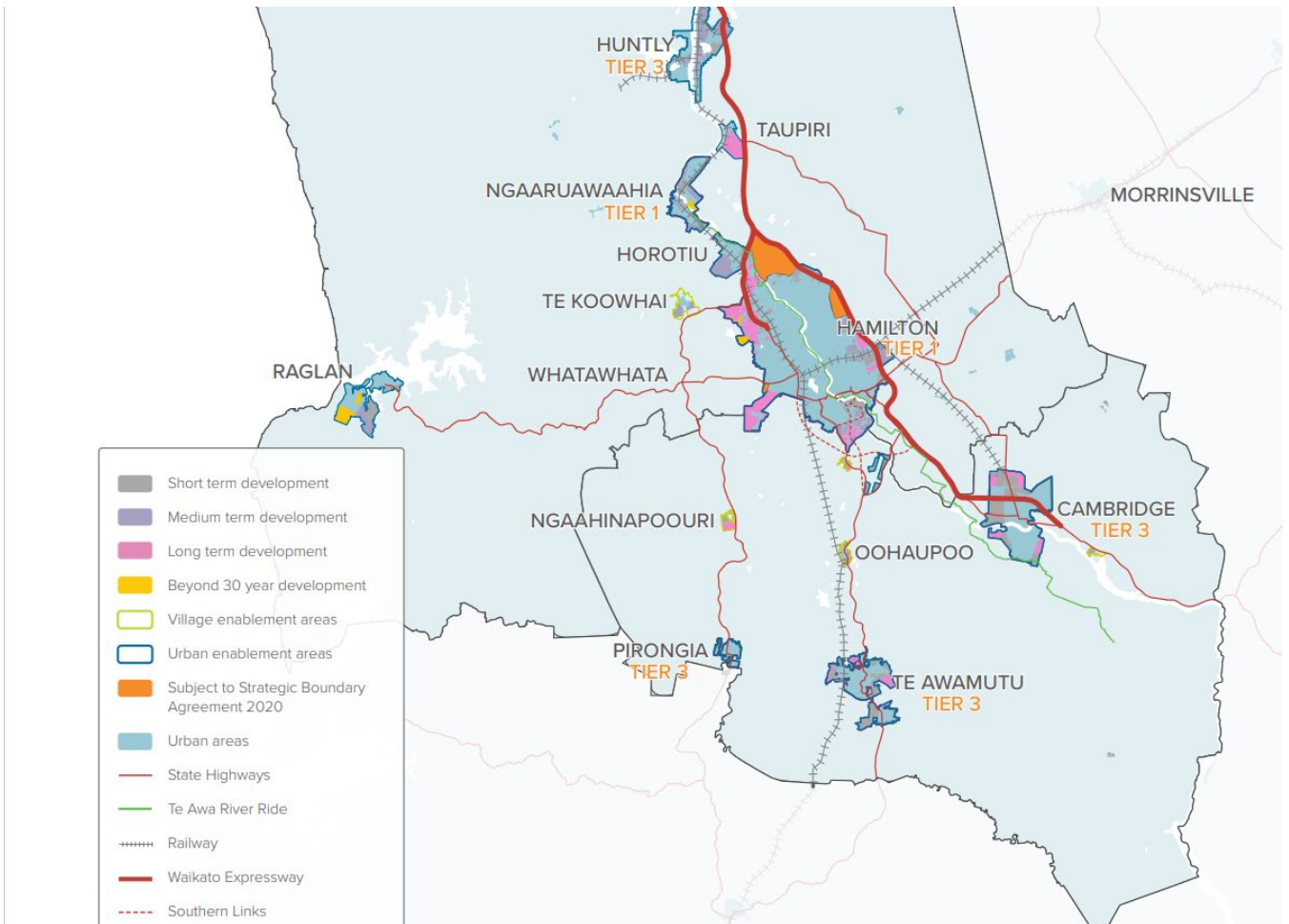


Figure 12: Future Proof Strategy Map 6: Current and future urban areas

34. Future Proof Strategy Figure 9 (Figure 1 my evidence on page 4) identifies the urban environments Future Proof has identified under the NPS:UD. In the Waikato District they are: Pookeno, Tuakau, Huntly and Ngaruawaahia. Horotiu has not been identified.
35. Table 6 of the Future Proof Strategy identifies density targets within urban enablement areas. The density targets for Horotiu are 20-25 dwellings per ha in greenfield locations and 25-35 in defined

intensification areas.⁵ These targets are the same as other areas that have been identified as Tier 1 urban environments in the Waikato District, except for Ngaaruawaahia which has a higher target.

36. Future Proof Strategy Figure 13 identifies the relationship between environments under the NPS:UD and urban enablement areas.

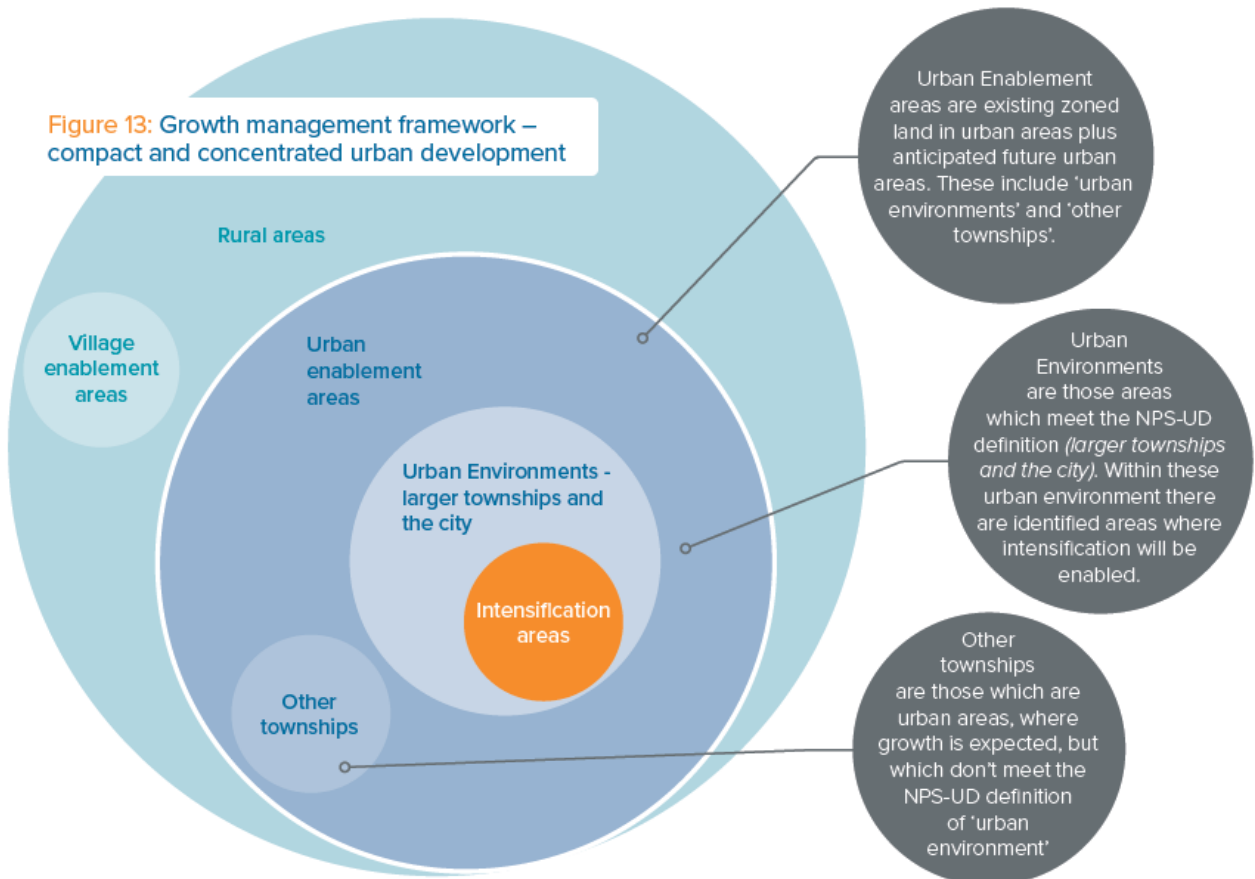


Figure 13: Future Proof Strategy Figure 13 Growth management framework – compact and concentrated urban development

37. In respect of commercial development page 70 of the Future Proof Strategy identifies there is a small existing town centre in Horotiu that *“Horotiu will continue to grow, with good transport connections and accessibility.”*

⁵ Future Proof Strategy, page 95.

Hamilton – Waikato Metropolitan Spatial Plan

38. The Hamilton-Waikato Metropolitan Spatial Plan was adopted by Council on 10 September 2020 and was prepared under the provisions of the Local Government Act. The introduction to the Spatial Plan explains the Hamilton-Waikato Metro area is an urban sub region of the Waikato and extends from Taupiri in the north to Cambridge and Te Awamutu in the south.⁶
39. Key points in the Spatial Plan that relate to Horotiu are:
- (a) Table 3 identifies Horotiu as being within the Northern Corridor and is identified as a growth area with a net target density of 15 to 35 dwellings per hectare with rapid transport services. Spatial Plan Figure 18 below indicates Horotiu as being an area of growth with the circles indicating relative levels of growth in proportion to one other (my Figure 15 provides a zoomed inset for Horotiu); and
 - (b) Horotiu is identified as a key employment node and part of a significant economic growth corridor.

⁶ Hamilton Waikato Metro Spatial Plan, page 4.

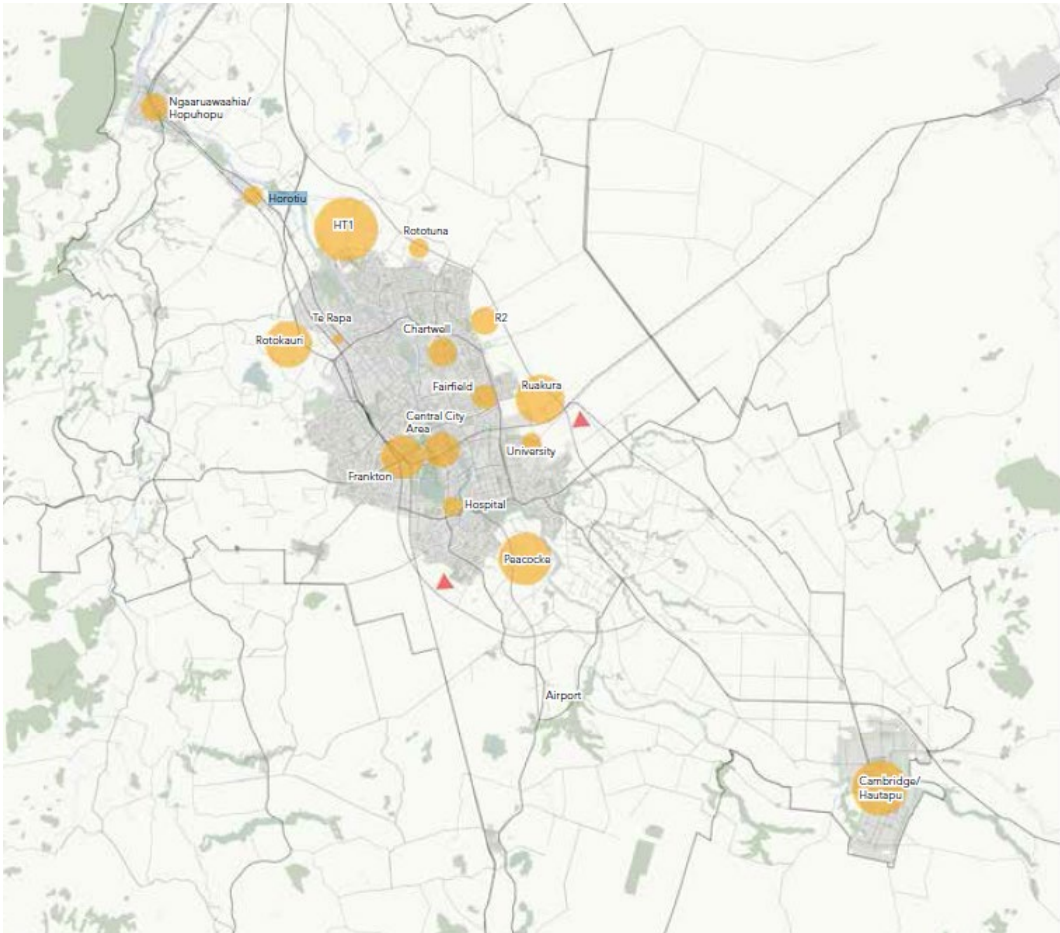


Figure 14: Hamilton-Waikato Metropolitan Spatial Plan Figure 18 Future growth areas map

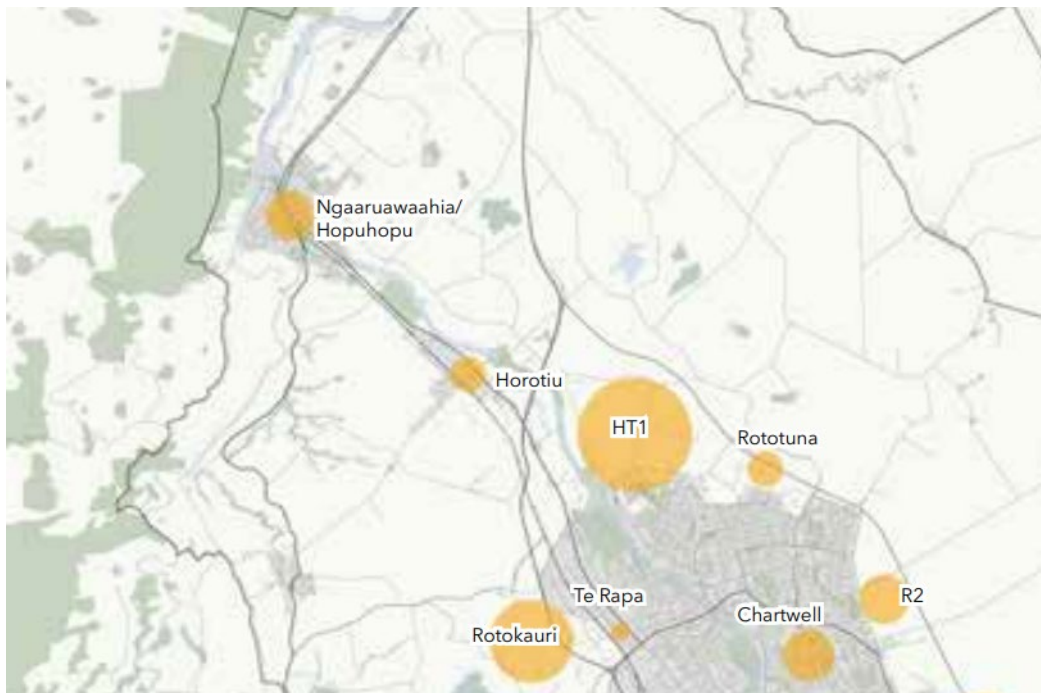


Figure 15: Inset showing Horotiu

Waikato Regional Policy Statement

40. Waikato Regional Council have notified Proposed Change 1 to the Waikato Regional Policy Statement (RPS). The purpose of Proposed Change 1 is to update the RPS to give effect to the NPS:UD and incorporate the most recent Future Proof Strategy. Submissions have been heard but no decision has been released. Under S75(3)(c) of the RMA a district plan is required to give effect to an operative RPS. In this case, the provisions in Proposed Change 1 do not form part of the Operative RPS, and therefore Proposed Change 1 is a matter the Panel must have particular regard to under S74(2)(a)(i) of the RMA.
41. The Operative RPS provisions on urban growth are based on previous versions of Future Proof and are out of date with current growth planning in the sub-region. Therefore, Horotiu is not specifically identified for urban development in the Operative RPS but is included in Proposed Change 1.
42. The provisions within Proposed Change 1 that I consider are relevant to the status of Horotiu:
- (a) UFD-P11 – Adopting Future Proof land use pattern, directs that new urban development shall occur within the urban and village enablement areas indicated on Map 43.⁷ The map identifies Horotiu as an urban enablement area, and also notates towns / cities that have been identified as a Tier 1 or Tier 3 in the Future Proof Strategy. As I set out above, the Future Proof Strategy does not specifically identify Horotiu as a Tier 1 or Tier 3 area, however the associated policies in Proposed Change 1, such as UFD-P12 do not rely on the Tier 1 or Tier 3 identification.

⁷ WRPS Proposed Change 1, page 57 of the Notified Version.

- (b) UFD-P12 – Density targets for Future Proof area, seek to achieve compact urban environments that support (amongst other things):
 - (i) existing commercial centres;
 - (ii) support multi modal transport options including active transport and rapid and frequent public transport; and
 - (iii) allow people to live, work and play within their local area.⁸

- (c) In achieving these outcomes development is encouraged to achieve target densities. Horotiu is included in the table. The table does not differentiate between different Tiers identified in the Future Proof Strategy.

Summary “is or is intended to be” urban in character

- 43. S77G(1) requires the MDRS to be incorporated into every relevant residential zone.

- 44. In my opinion, when considering what is urban in character it is necessary to look at both the function and form of development. Simply put urban areas are different than rural areas they have a density of buildings and a range of activities and services that are not found in rural areas. In my opinion, key elements of form that make an area urban in character include elements such as the density and closeness of buildings to one another, the presence of elements such as footpaths and streetlights. Key elements of function include the type and range of activities and services that are available. Simply put urban areas have a greater range of commercial and community activities.

⁸ WRPS Proposed Change 1, page 16-17 of the Notified Version.

45. In terms of whether Horotiu 'is' urban in character I consider:
- (a) There are parts of the Residential Zone that are urban in character. In particular, the area between Washer Road and Horotiu Bridge Road. This location has several recent residential developments that, in my opinion, are urban in character. I also consider the recent developments are of a higher density and nature than that typically associated with the urban environments of the district. This location also has footpaths and streetlights which in my opinion reinforce the 'urban character' of this location;
 - (b) I also consider the existing residential development along Great South Road is urban in character with developments at general residential zone densities and also with footpaths and streetlights.
 - (c) I consider the area between Horotiu Bridge Road and the State Highway is more mixed and has a more rural character as there are distinctly less buildings and more of an open rural nature in this location;
 - (d) The existing area of residential development off Park Road to the west of the Heavy Industrial Zone is in my opinion a mix of character, the areas with footpaths have, in my opinion, more of an urban character. I note parts of this residential area have grass swales on both sides of the road. Overall, I consider this area has less urban character than between Washer Road and Horotiu Bridge Road;
 - (e) The existing industrial developments in Horotiu, particularly around Northgate, in my opinion, are also urban in character. The buildings area of a density and form typically associated with urban industrial developments. The area also contains footpaths and streetlights that are associated with urban environments;

- (f) The range of commercial and community activities currently available in Horotiu is limited. Whilst there is a convenience store and a place for children to undertake art works there are no other retail activities. Horotiu School and the pre-school do provide some community services along with the recently approved resource consent for a Doctors Surgery. I consider that more developed urban environments would typically have a wider range of commercial and community activities. The existence of commercial activities is a matter I identified as being typical of urban environments in para 102 of the S42A report for the substantive Variation 3 hearing in July.

33. In terms of whether Horotiu is 'intended' to be urban in character:

- (a) It is my opinion the rezoning that took place in the PDP hearings from Country Living Zone to General Residential Zone between Horotiu Bridge Road and the State Highway indicates a clear intent the area will become increasingly urban in character. Waikato 2070 also identifies the same area will be developed for residential purposes over the short term, ie next 1-3 years;
- (b) This change is reinforced through Proposed Change 1 to the Waikato RPS, which identifies Horotiu as an urban enablement area where urban development is anticipated;
- (c) In my opinion, the strategic nature of industrial development at Horotiu, and the ongoing development of the industrial development particularly within the Northgate Business Park will also increase the urban character of the area. It will also provide options for people to live and work in the area; and

- (d) In my opinion, the identification in the Future Proof Strategy of a key rapid public transport enabled growth node in Horotiu also indicates further urban development is intended for the area.
46. I consider that whilst the built character is intended to become more urban, I have reservations about the range of commercial activities and community services provided for currently in Horotiu. I note no further areas of commercial development were rezoned as part of the PDP hearings. Regardless, I consider there is and will be demand for commercial and community-based activities in the area. The recently approved resource consent for a doctor's surgery in a residential zoned property is an example of this.
47. I note the submission by Horotiu Farms Limited to Variation 3 has identified a commercial area within its site. I consider this is important and I note the strategic documents identified previously in this evidence have promoted the ongoing development of the town centre in Horotiu.
48. I acknowledge under the Future Proof Strategy that Horotiu is identified as an urban enablement area but is not identified as a Tier 1 or Tier 3 urban environment. In my opinion this is a factor for the Panel to consider alongside other evidence. There is no analysis contained within the Future Proof Strategy to explain why the authors did not consider Horotiu to meet the definition of urban environment under the NPS:UD. I do note, however, the reference in my Figure 13 to larger townships and the indications of relative levels of growth in Figure 14 and 15 from the Hamilton – Waikato Metropolitan Spatial strategy. In my opinion even if the MDRS is applied to Horotiu the smaller geographical size of Horotiu compared to the identified Tier 1 Urban Environments will mean the Tier 1 towns will remain the larger townships in the District. In my opinion 'size' is not a determinative factor in the definition of 'urban environment'. I note the words in brackets "*(regardless of size, and irrespective of territorial authority or statistical boundaries)*".

49. I consider however there are some distinguishing features about Horotiu that do mean this area is different than other urban enablement areas. These include the presence of the strategic industrial node and the identification of the public transport growth node. In my opinion the location of Horotiu and its proximity to Hamilton is also a factor.
50. An additional factor to be considered is that the existing population of Horotiu as at 2018 census is anticipated to grow. Work undertaken by Market Economics as part of the notification of the PDP indicates there is considerable additional capacity within the existing Horotiu residential zone. On this point, I note that the 2018 population of Horotiu of 624 people has grown to 788 in 2023 (based on Long Term Plan projections).
51. In my opinion, if the developments that are already lodged with the Council do proceed then it would not be fanciful to consider the population of Horotiu will exceed 1,000 people in the short to medium term.

IS OR INTENDED BY THE SPECIFIED TERRITORIAL AUTHORITY TO BE PART OF A HOUSING AND LABOUR MARKET OF 10,000 PEOPLE

52. The other criteria in the definition of urban environment, is where Horotiu is or is intended to be part of a housing and labour market of 10,000 people.
53. Horotiu is located between Ngaaruawaahia and Hamilton City. Horotiu adjoins Hamilton City being separated from Hamilton by State Highway 1 / State Highway 1C. The white area on the map below identifies Hamilton City's jurisdiction. The existing zoned areas in Horotiu also have a boundary with the Waikato River.

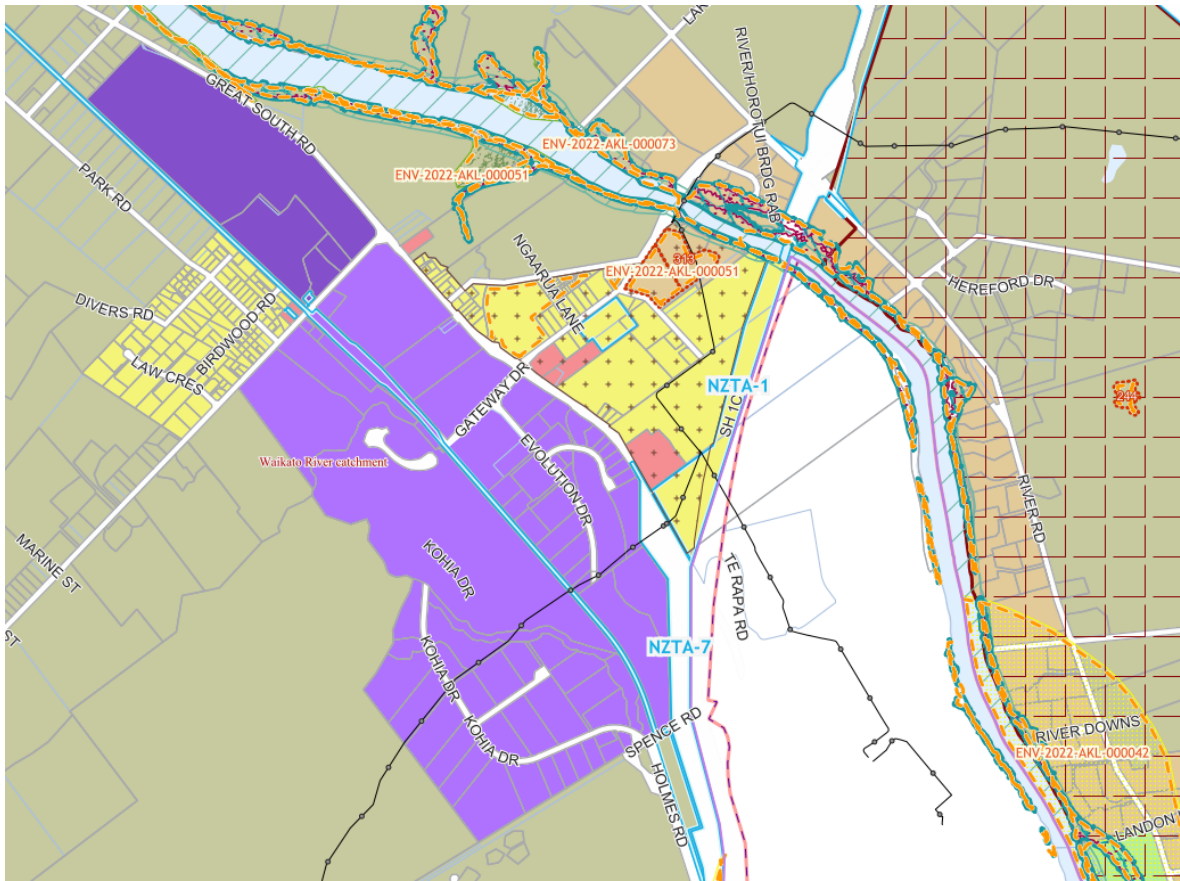


Figure 16: PDP planning maps showing HCC boundary and jurisdiction

54. I note that the Panel’s Hearing Direction #12, at para 16, records Horotiu as part of the south Waikato District/north Hamilton City urban development corridor. I agree with this and note in the Hamilton-Waikato Metropolitan Spatial Plan 2020 and Future Proof Strategy 2022 Horotiu is identified as being part of a key economic growth corridor to drive productivity in the metropolitan core between Ruakura, Horotiu and Ngaaruawaahia. In my opinion, by fact of its location and its recognised function Horotiu is part of a housing and labour market of more than 10,000 people, being Hamilton City.

CONCLUSIONS

55. For some Tier 1 authorities it is very clear what the relevant residential zones are within their districts simply because the towns or cities all exceed 5,000 people as at the 2018 census. However, I consider the situation is more complex in the Waikato District which consists of one

larger town (Huntly) and a series of smaller towns sandwiched between two large urban environments of Hamilton and Auckland.

56. Prompted by the submissions lodged by Horotiu Farms Limited, I have closely assessed the existing, and intended future, urban character of Horotiu and have reviewed the planning documents. In my opinion such a review is required to assess whether Horotiu meets the definition of an urban environment.
57. Turning to the first part of the definition of urban environment. I consider parts of Horotiu are currently urban in terms of built character. In respect of the residential zoned sections the area between Washer Road and Horotiu Bridge Road is, in my opinion, urban in built character. The residential area between Horotiu Bridge Road and the State Highway, in my opinion, is intended to be of an urban built character. I also consider the existing industries and continued planned industrial development add to the built and functional urban character of Horotiu.
58. My only reservation relates to the restricted range of commercial services and community activities within Horotiu. In my opinion there is currently no commercial centre. Whilst there is land zoned local centre zone the current activities, other than the convenience store, do not provide the commercial activities typically found in urban environments. I note the submission lodged by Horotiu Farms Limited does identify a commercial centre on the submitters master plan. In my opinion this centre will be more appropriately located, as compared with the current Local Centre Zone. In my opinion, the identification of a commercial centre is important to the consideration of Horotiu as an urban environment. The PDP anticipates neighbourhood centres being identified and delivered through structure plans or master plans within the GRZ and MRZ.⁹ The consideration of the size of the commercial centre relative to other

⁹ As explained in the s42A closing statement (5 September 2023) for the July/August hearing, footnote 2 on page 5.

centres, such as Ngaaruawaahia will be an important factor that needs to be considered in the Council's structure plan.

42. Turning to the second part of the definition I consider that due to its location on the very edge of Hamilton City and its role in the productive economic corridor, Horotiu is part of a housing and labour market of more than 10,000 people.
43. In conclusion it is my opinion that Horotiu meets the criteria in the definition of urban environment and for that reason the MDRS must be incorporated into the relevant residential zones.
44. I acknowledge at this point in time, due to scope, the MDRS can only be incorporated by the Panel into the area identified in the Horotiu Farms Limited submission. A further variation or plan change is required for the remainder of Horotiu, including consideration of any additional QMs. In my opinion, it will be important to consider whether the residential area south west of the Heavy Industrial Zone (HIZ) should have an additional QM given the very close proximity to the existing HIZ. This further variation or plan change is mandatory for the Council or order to comply with the duty in s77G(1) of the RMA.

Fiona Hill
26 September 2023