

BEFORE THE WAIPA DISTRICT COUNCIL

UNDER	the Resource Management Act 1991
IN THE MATTER OF	Plan Change 13: Uplifting Deferred Zones
SUBMITTER	Summerset Villages (Cambridge) Limited (submitter 13)

**STATEMENT OF EVIDENCE OF CRAIG IRVING MCGARR ON
BEHALF OF SUMMERSET VILLAGES (CAMBRIDGE) LIMITED**

11 June 2021

INTRODUCTION

- 1 My name is Craig Irving McGarr.
- 2 I am a planner and resource management consultant with Bentley & Co Limited, an independent planning consultancy based in Auckland. I am a Director and have been with the company since 1994. Prior to joining Bentley & Co Limited, I held the position of senior planner with Auckland City Council.
- 3 I graduated from the University of Auckland in 1989 and hold the qualification of a Bachelor of Planning, and have practiced as a Planner since that time. I am registered as a full member of the New Zealand Planning Institute (*NZPI*).
- 4 I have been engaged since 2017 by Summerset Management Group Limited (Summerset) to advise them in respect of the provisions of the Waipa District Plan, and in particular how these provisions apply to, and implicate, their landholdings in Cambridge.
- 5 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Purpose and scope of evidence

- 6 My evidence is presented on behalf of Summerset. It addresses the land at 60, 80, 100 and 102 Laurent Road, Cambridge, in relation to the implications of proposed Plan Change 13 (*PC 13*).
- 7 Summerset supports the proposed uplifting of the Deferred Residential zone and applying a live Residential zone to the Cambridge North Deferred Residential zone (within the Cambridge North Structure Plan Area).
- 8 My evidence relates to Summerset's submission on PC 13, as it relates to the consequential amendments that it is appropriate to undertake to the residential zone provisions and Appendix 2 to the District Plan,

together with the corresponding amendments to the Planning Maps and Structure Plan Maps, to align with changes which have occurred over time and for district wide consistency.

9 The Council's section 42A Hearing Report (the s42A report) accepts the majority of the Summerset submission, and recommends changes to the Residential zone and Structure Plan provisions, as well as changes to the Planning Maps and Structure Plan Maps. These recommendations (and the reasons for them) are endorsed, being:

- An amendment to the Appendix S2 – Cambridge North Structure Plan and Design Guidelines to reflect the live zoning, comprising an amendment to section S2.6 and S2.7 (as set out in paragraph 5.6.2 of the s42A report). The recommendation does not address the related changes that are necessary to the related figure – which I clarify below;
- An amendment to the Residential zone provisions to delete all references to matters pertaining to a deferred zone, where such a zone is to be uplifted (as set out in paragraph 5.6.4 of the s42A report);
- An amendment to the Cambridge North Structure Plan to remove the indicative local road layout from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown);
- An amendment to Planning Map 24 to remove the indicative local road layout from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown);
- An amendment to the Cambridge North Structure Plan to remove the extent of reserve zone and indicative walkway / cycleway from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown);
- An amendment to Planning Map 24 to remove the extent of reserve zone and indicative walkway / cycleway from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown).

- 10 The Summerset submission also sought that coincident with the uplifting of the deferred residential zone (for Cambridge North) that the Planning (Policy Area) Map (Map 24), and the corresponding Cambridge North Structure Plan map be amended to remove the Road Noise Effects Area rule from 100 and 102 Laurent Road. For completeness (and consistency), the Summerset submission also sought the deletion of the Road Noise Effects Area rule from the remainder of the Policy Areas map (Map 24) as it relates to land fronting Laurent/Victoria Road, south of 100 and 102 Laurent Road.
- 11 The s42A report recommends that the extent of the Noise Effects Area rule be retained, because:

The Section 32 Report from the District Plan Review notes the inclusion of this area as "The Cambridge North noise effects area was identified as part of the preparation of the structure plan for this area. The area identified will experience high traffic levels and associated traffic noise. For this reason the area was identified with associated plan provisions requiring acoustic treatment." As Council have received no evidence to suggest the potential traffic levels and associated noise has been reduced, thereby resulting in appropriate acoustic treatment in this area no longer being required, Council staff recommend the retention of the Noise Effects Area.

- 12 I will address this matter further below.

PLAN CHANGE 13

Amendments to the Appendix S2 – Cambridge North Structure Plan and Design Guidelines

- 13 In addition to the consequential amendments necessary to sections 2.6 and 2.7 of Appendix S2, for completeness it is also necessary to amend Figure 1, with the map Legend for this figure referring to the 'deferred' residential area.
- 14 Further to this, this figure also includes the 'proposed roading layout' and 'proposed reserve areas', which consistent with the recommendations for the Policy Map (24) and the Structure Plan, should be amended.

Road Noise Effects Area

- 15 The extent of the Road Noise Effects Area rule for the Cambridge North area is shown below:



- 16 Other than a portion of residentially zoned land adjacent (south of) State Highway 1 (east of Swayne Road) this rule does not apply elsewhere in the district. Rather, for activities sensitive to noise (and the necessity or otherwise to insulate buildings to achieve an internal noise level) the District Plan Rules (Rule 2.4.2.29) are based on a combination of the distance from the edge of a carriageway and the speed limit of the carriageway.
- 17 As a consequence of the use of a rule of this nature, the extent of land affected is greater than would otherwise apply to all other land in the district adjacent a roadway with an equivalent speed limit. This is because the mapped width of the rule (which is 80m) is not applied from the edge of the carriageway. Rather, the mapped extent applies from a point east of the carriageway, and therefore a greater extent

of land is unnecessarily implicated. This extent is not in response to a particular acoustic condition which is necessarily prevalent today (noting that Victoria Road is no longer a State Highway), but a mapping approach, which was introduced with the Structure Plan at the time, and which is now unnecessarily more onerous than the equivalent rule that applies elsewhere in the district.

- 18 To address this anomaly, and to apply the rules consistently across the district, the Noise Effects Area rule extent should be deleted as sought by the submission of Summerset, noting also that a similar rule is not overlaid to the deferred residentially zoned land to the west of Victoria Road (which is to be enlivened by this Plan Change), with all such residential zoning being subject to a consistently applied rule.
- 19 The deletion of the Noise Effects Area rule extent from the Cambridge North Area, would mean that development would simply devolve to Rule 2.4.2.29, which is unambiguous.

CONCLUDING COMMENTS

- 20 Summerset support the removal of the deferred zoning from the land at 100 and 102 Laurent Road, together with appropriate consequential amendments to the Planning (and Policy) Maps, as they relate to these properties and the neighbouring land within the Cambridge North Structure Plan area.
- 21 The recommendations of the s42A report align with the Summerset submission and are supported, except to the extent that the extent of the Noise Effects Area rule is to be retained. This rule is anomalous and inconsistent with the application of similar rules across the district, and there is nothing unusual or particular about the land at 60, 80, 100, and 102 Laurent Road to necessitate a greater level of control being applied.

Craig McGarr

9 July 2020