

PLAN CHANGE 13 TO THE WAIPA DISTRICT PLAN

Hearing Presentation Notes

Greg McCarthy – Submitter 6 and Further Submitter FS7

Kia ora koutou. Thank you for the opportunity to talk today.

My name is Greg McCarthy and I am a landowner within the C4 Growth Cell.

In relation to the Plan Change 13 process to date, I have made:

- an initial submission generally supporting the proposed changes to the Waipa District Plan contained in Plan Change 13; and
- a further submission opposing two submission points (19/4 and 19/8) made by Kotare Properties Limited (“Kotare”) seeking changes to the proposed structure plan layout – being the location of the planned realignment of Lamb Street through my property and associated changes to the wording of the structure plan.

Last Friday a Statement of Evidence was submitted by Kathryn Drew on behalf of Kotare (“the Statement of Evidence”) in further support of Kotare’s initial submissions and responding to my further submission.

In the very small amount of time that is available to me today, I seek to do two things:

1. To reiterate my primary submissions (i) that these proposed changes are out of scope for the Plan Change 13 process; and (ii) that the appropriate process available to Kotare is via Rule 15.4.2.69 of the Waipa District Plan.

This rule provides a Discretionary Activity resource consent application process to allow any aspects of a proposal that are not in ‘general accordance’ with the Structure Plan to be considered on their merits and provides an opportunity for all affected landowners to participate in this process.

2. To briefly comment on a few statements in the Statement of Evidence that I believe are not correct and/or that I disagree with. It is simply not possible to provide a comprehensive response in the time available. a) – f) below refer to the Statement of Evidence.
 - a) Paragraph 17.a) states *“This change effectively flips the collector road from the alignment provided for Structure Plan and also requires a slight realignment through the McCarthy property to the south.”*

While this statement correctly acknowledges the change sought by Kotare requires a realignment through the McCarthy property, I disagree with this change being described as “slight”. I also note that no evidence is included in the statement to support this descriptor. A possible medical analogy is that it is always easy to

describe an operation as being a minor procedure when it is somebody else that is having the operation.

I submit that the change sought by Kotare has a significant effect on my land and this is why this request should be considered via the process contained in Rule 15.4.2.69 of the Waipa District Plan.

- b) Paragraph 20 refers to traffic safety benefits and improved Collector Road functionality, however no expert traffic management evidence has been included to support or quantify these claimed benefits.
- c) Paragraph 22 indicates that “...the use of language that states ‘preferred’ does not provide confidence that design changes will be considered by Council in the future resource consent processes”. I disagree. The fact that rule 15.4.2.69 of the Waipa District Plan provides a specific process for dealing with aspects of a proposal that are not in general accordance with a Structure Plan provides confidence that proposed design changes will be considered on their merits. Additionally, this process provides an opportunity for all affected landowners to be consulted and to fully participate in the consideration of the proposed change.
- d) Paragraph 23 purports to summarise the points made in my further submissions. This paragraph is not an accurate or complete summary of my further submissions.

In particular – the last sentence of 23.b) omits to include the important last limb of my second further submission relating to consulting with affected landowners:

“It would be inappropriate for ad-hoc amendments to now be made to the completed and endorsed Structure Plan without having fully considered the implication of the proposed changes on the entire C4 Growth Cell and all affected landowners; and without consulting with these landowners.”

The Statement of Evidence also does not include or comment on my further submissions 4 & 5, thereby avoiding acknowledging the process available to Kotare via Rule 15.4.2.69 of the Waipa District Plan.

- e) Paragraph 24.c) states the Kotare submission also satisfies the second test – seemingly because I have had an opportunity to make a further submission in the Plan Change 13 process.

With respect, I do not accept that the process to date has provided an opportunity for effective consideration of the proposed changes and/or engagement with effected landowners. My further submission could only respond to and oppose Kotare’s initial request that was made without supporting analysis and expert evidence.

While the Statement of Evidence now provides Kathryn Drew’s opinion on a number of matters, most of these opinions are also not supported by an appropriate level of

analysis and/or expert evidence – such as in the area of claimed traffic management benefits and land utilisation. It is unreasonable to suggest that the current process has provided me with the opportunity to fully and effectively engage with and respond to Kotare’s request. I submit this can only effectively occur via the Rule 15.4.2.69 process.

- f) Paragraph 26 refers to an attached concept plan prepared by Kotare that purports to indicate potential yield outcomes for the McCarthy land. This plan appears to be the basis of Kathryn Drew’s expressed opinion that:

“any increased land requirements for roading will be off-set by the ability for residential lots to be developed on either side of the realigned Lamb Street” and

“That outcome cannot be achieved with the current Structure Plan arrangement”.

While this diagram and statement effectively acknowledges Kotare’s proposed change does result in an increased area of McCarthy land being required for the road realignment, with respect, it does not evidence either of these above two claims, either physically or economically. The actual impact on the McCarthy land is more significant than is being purported.

A greater area of McCarthy land will be needed for the proposed new road realignment. This must reduce the area of land otherwise available for housing. The fact that some housing might be able to be located to the west of the proposed new realignment does not change this simple fact. The Statement of Evidence also does not appear to have regard to the relative amenity and design values of the new sections Kotare has drawn to the west of the proposed road realignment compared to the existing Structure Plan counterfactual.

For completeness, a number of diagrams have been attached to the Statement of Evidence. Please note the scale of the existing C4 Structure Plan diagram is greater than the scale of the drawings prepared and submitted by Kotare. This potentially causes the impact of the proposed changes to visually appear to be smaller than they would appear if they had been drawn to the same scale.

For the reasons outlined above, I disagree with all of the conclusions outlined in Paragraph 28 of the Statement of Evidence and again oppose the relief sought by Kotare.