

BEFORE THE HEARINGS PANEL

UNDER

the Resource Management Act 1991

IN THE MATTER

of proposed Plan Change 17 to the Waipā District Plan

STATEMENT OF EVIDENCE OF DEAN HAWTHORNE

17 MARCH 2023

1. INTRODUCTION

1.1 My name is Dean Hawthorne.

1.2 In 2014 we purchased our property at 358 Peake Road (see Figure 1 below) to develop into a specialist thoroughbred agistment and rehabilitation property, with the eventual intention of building a house on the property when we could afford to do so.



Figure 1: Plan showing Property Location

1.3 At the time we purchased our property there was no notification or indication in the Waipa District Plan that the Kama Trust land (Area 6) would ever become an Industrial Zone.

1.4 Our business has built up a strong client base, particularly overseas clients, and also being situated in the middle of the two Cambridge equine surgical hospitals located at Racecourse Road and Pickering Road we are a destination of choice for horses recovering from surgery. We had recently ordered new safety fencing for the property to intensify intake; this proposed site was alongside the proposed Industrial Zone.

1.5 In December 2020 we purchased an adjoining 5,000m² of land as a separate title which Waipa District Council granted through an unusual transfer on to the neighbouring property. One of the main reasons we were forced to do this at

great expense was to avoid landowners or business detrimental to horse rehabilitation from buying this block.

- 1.6 When the title was transferred by the previous owner and when we purchased the 5,000m² property, the Kama Trust land was not involved in any future rezone plans.
- 1.7 We have planted thousands of dollars' worth of trees, hedging and fencing over the last 12-year period to beautify and improve the safety of the property for its purpose.
- 1.8 Along comes 2022 and we have raised enough capital to start to build our dream home with Downey Construction being engaged from a year previously to design plan and build the house. The site of the house was in the second paddock on the right hand side of our driveway close to the southern boundary of the property.
- 1.9 We were granted a Building Consent by Waipa District Council on 23 March 2022. At the time, we were unaware the Kama Trust land was being rezoned (it was again not in any future planning documents) but it later became apparent that the Council was aware of the proposal at the time our Building Consent was issued and did not inform us.
- 1.10 Dismantling fences, relocating trees, roading, power, water, foundations, boxing, plumbing and wiring insulation all in place, with the concrete due to be poured on 29 May 2022.
- 1.11 Total financial outlay on the house project and repatriation of ground and fencing is between has been about \$150,000 at this stage.
- 1.12 On 26 May 2022 (less than 2 months after our Building Consent was issued), we received a letter from Waipa District Council telling us of the decision to rezone the neighbouring Kama Trust property to industrial in a proposed plan change. The industrial zoning would be immediate.
- 1.13 With virtually no set back on the industrial side, our house would have been 30 metres from this new zone boundary, next to who knows what!
- 1.14 Going forward our business would be totally impractical to continue for spelling and rehabilitating horses.

- 1.15 Bunds, tree lines, vegetation, bunkers are all irrelevant. Light pollution, dust, smell, sudden noise pollution especially at night are a recipe for disaster going forward.
- 1.16 I grew up around horses including thoroughbred horses. I was one of the biggest horse breakers in NZ and was also short-listed for the Olympic three-day event for Barcelona, so I know what horses can and can't deal with. I also consult to various clients on these exact subjects.
- 1.17 Horses are a flight animal and thoroughbred horses that are supposed to be in a relatively relaxed environment would suffer stress and the risk with unidentified industry and long hourly construction times close up to the property would be disaster waiting to happen.
- 1.18 I have discussed the proposed rezoning with clients and veterinary surgeons, and they have stated that they will not be comfortable sending us thoroughbreds (many of which are worth well over \$500,000) to recover from either racing or veterinary procedures if we have an Industrial Zone next door.
- 1.19 Our business would fail, and we are already in jeopardy of failing to pay upcoming mortgages should the proposed rezoning proceed in the manner proposed.
- 1.20 How can it be that everything that we have worked for and planned for can be taken away without warning? It has been acknowledged in various documents by Waipa District Council that we landowners and homeowners adjacent were unaware of proceedings that occurred behind closed doors.
- 1.21 Relocate the business you might say. Where too and with what capital? Put yourselves in our position. It's not a very nice place to end up by what seems like the secretive deeds of others.
- 1.22 As discussed in the original meeting at Council offices on 23 June 2022, we have been pushed into a very difficult and stressful situation where our livelihoods are on the line and we have few options as to where to from here. As explained in the evidence of Mr Chrisp, the Hautapu Landowners Group (including myself) have tried to take a constructive approach to resolving this situation whereby our proposal is that our land is rezoned to a Deferred Industrial Zone (effectively a Stage 2 once the Kama Trust land is largely developed for industrial purposes). That gives us a sensible way out of this mess.

- 1.23 The planning merit of what we have proposed has been recognised in the report prepared by Ms Neda Bolouri. I would urge the Council to accept our proposal which, compared to any alternative outcome, we believe will result in a win / win outcome for all parties.

Dean Hawthorne

17 March 2023