

**BEFORE THE HEARING PANEL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an application to Waipā District Council for Plan Change 17 to the Waipā District Plan.

**STATEMENT OF EVIDENCE OF NEDA SARA BOLOURI**

**Dated 13 FEBRUARY 2023**

## INTRODUCTION

1. My full name is Neda Sara Bolouri.
2. I hold the qualifications of a Bachelor of Social Sciences (Geography and Tourism) and a Postgraduate Diploma in Resource and Environmental Planning from the University of Waikato. I am a Senior Planner for Beca Limited based in Hamilton. I was admitted as a Full Member of the New Zealand Planning Institute in 2022.
3. I have 11 years' professional planning experience and have been a planner based in Hamilton since 2012. I am familiar with the Waipā District Plan (**District Plan**) and have been involved in previous plan changes, and am familiar with the strategic land use, growth management and environmental issues in and around Waipā District.
4. I prepared and provided a section s42A report with recommendations (**s42A report**) for the proposed Plan Change 17 - Hautapu Industrial Zones (**PC17**) dated 13 February 2023.

## 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 EVIDENCE

6. This statement provides a summary of the s42A report key conclusions and recommendations provided in section 7 of that report. At the time of writing this evidence there are no changes to the recommendations contained in the s42a report as a result of continued expert caucusing.
7. At the time of writing this evidence no determination has been made by the Hearings Panel on the out-of-scope matter raised in Minute #2 regarding land north of Area 6.
8. I am relying on the expert technical report provided by Mr Mark Apeldoorn and Rhulani Mothelesi on transportation related matters, and on the expert technical report on water, stormwater and wastewater provided by Mrs Britta Jensen.

## SUMMARY OF REPORT

9. Section 7 of the s42A report provided a recommendation for approval of PC17. Informing this recommendation within the s42A report was also an analysis of submissions received on the plan change with recommendations in respect of each (Section 6); an evaluation of issues and anticipated environmental effects under a series of sub-headings and a statutory assessment against the various relevant policy statements and plans, and the legislative framework (Section 4).
10. Key conclusions within the s42A report:
  - a. Whilst there were concerns expressed in some submissions on unacceptable amenity effects from rezoning Area 6 from Rural to Industrial, the broad conclusion was that there were existing mitigations offered by the Waipā District Plan and PC17 as notified, as well as additional mitigations offered, that overall the effects being generated are considered acceptable and generally consistent with the statutory planning framework.
  - b. That PC17 is consistent with the policy direction and outcomes promoted by the National Policy Statement on Urban Development 2020 (**NPS-UD**), and that the outcomes achieved will be in accordance with the objectives within that NPS.
  - c. That PC17 represents a robust and suitable response to the existing Hautapu Industrial Structure Plan Area updates and industrial growth in the district.
  - d. That PC17 is consistent with Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) and the Waikato Regional Policy Statement (**RPS**), including the Implementation Method 6.14.3 'criteria for alternative land release'.
  - e. That PC17 is consistent with the Future Proof Sub-Regional Growth Strategy, the Hamilton-Waikato Metropolitan Spatial Plan, and Tai Tumu, Tai Pari, Tai Ao - the Waikato-Tainui Environmental Plan.
11. The extent of consistency with Part 2 of the Resource Management Act 1991 (**RMA**) matters is discussed at Section 4 of the s42A report. I concluded that the Hearings Panel can be satisfied that PC17 is consistent with Part 2 RMA matters.
12. In Section 7 of the s42A report I have recommended approval of PC17, subject to proposed amendments.

## SUBMITTER EVIDENCE

13. I have read all submissions, relevant to my planning discipline and District Plan provisions. In respect of submitters, I comment as follows.

## Waka Kotahi

14. The Transportation Report presented by Mr Apeldoorn and Ms Mothelesi, as well as the memorandum response to Waka Kotahi attached as Appendix C to the s42a report, expressed support for the outcomes of the transport caucusing undertaken. Mr Apeldoorn and Ms Mothelesi advised there were no outstanding matters from their perspective. I rely on and concur with those statements.
15. Other transportation related concerns, raised by submitters, are also I believe, adequately covered within the Transportation Report which outlines the programme of works already in motion to upgrade Hautapu Road and surrounding intersections, as well as construction of a shared path, which will alleviate many concerns raised by submitters.

## Fire and Emergency New Zealand (FENZ)

16. The submission of FENZ opposed PC17 in its entirety due to water supply matters relevant to firefighting. It is acknowledged that in this area, and also in many other areas in the district, water supply is limited. Council's response to the FENZ submission, and to other submissions of similar nature, is that there is an existing bylaw (Waipā District Water Supply Bylaw 2022, and Section 12 Approval for Fire Protection Connection in particular) and the Waipā District Development and Subdivision Manual 2015 requiring Council to provide a service level of 'FW2' and this will be met.
17. Additionally, the following rule in the District Plan addresses this matter and no further change is recommended;

*Rules - Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits*

### *15.4.2.18*

*All lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones within the urban limits shall be connected to the following Council infrastructure services:*

- (a) Wastewater reticulation and treatment; and*
- (b) Water supply for domestic, or industrial, or commercial activity; and*
- (c) Water supply for fire fighting purposes.*

*Advice Note: SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.*

Waikato Regional Council (WRC)

18. WRC did not lodge a submission on PC17, but has lodged a further submission under clause 8 Schedule 1 RMA. WRC's concerns relate to the definition of dry industry and stormwater discharge, in particular ground disposal for process waste streams. Any discharges to ground need to be treated prior to discharge and all stormwater management needs to adhere to the Regional Infrastructure Technical Specifications (RITS) and Waikato Stormwater Management Guideline 2020.
19. Rules 15.4.2.20 and 15.4.2.25 in the District Plan relate to stormwater requirements and directly address the potential for a discharge consent from WRC in the advice notes. WRC have supported the definition of 'dry industry' in PC17, however oppose the suggested change that results in dry industry also including activities that are self-sufficient for water, stormwater and wastewater on their sites.
20. On recommendation from staff the suggested change to the definition, to allow more flexibility, was accepted and elaborated on to provide clarity.

Landowner Submitters

21. The main concerns, not already covered above, from landowners related to effects on rural amenity as a result of the rezoning of Area 6 to Industrial.
22. In respect of the specific points and the relief sought that are recorded in Section 6.1 of the s42a report, some changes are proposed to PC17 as notified to address specific submission points. Namely changes to the proposed light spill rule that was introduced to apply specifically to Area 6, to extend to the entirety of the Hautapu Industrial Structure Plan Area. It is acknowledged that there are still residential dwellings within this area, even though it is zoned Industrial, and that the shift to industrial land use will be gradual. However, it is believed that that shift in land use will be expedited slightly by PC17 due to the roading improvements, re-zoning and most importantly the establishment of stormwater basins.
23. It should also be noted that once the roading upgrades have taken place and new developments complete construction, the amenity of the existing industrial area (C8 and C9, including Hautapu Road) will noticeably improve, as the design guidelines for Hautapu are quite prescriptive on built form, landscaping, signage etc. Additionally, it should be noted that Area 6 being rezoned Industrial is a seamless continuation of the existing Industrial area along Hautapu Road.

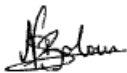
**UPDATED POSITION**

24. In response to relief sought by submitters, the following changes are now proposed to the notified version of PC17:

- a. 7.4.1.1 (a) Permitted activities – consequential change to correct an error and exclude Area 6 from this rule which improves the intent of PC17.
- b. 7.4.1.5 (p) Non-complying activities – to include the entirety of the Hautapu Structure Plan Area in order to avoid particular activities that generate nuisance effects.
- c. S5 Attachment A: Perimeter Boundary Treatment - change 30m minimum spacing to maximum, as the map said minimum and the rule said maximum.
- d. Structure Plan maps S5.10, S5.11 and S5.12 – reduce stormwater basin 4 that extends over 84 Hautapu Road as this was an error in the maps as notified.
- e. S5.5.1.2 Design Guidelines (b) Consequential amendment to remove the word ‘future’ from ‘future Industrial Zones’, as this was removed from the Perimeter boundary Treatment Plan.
- f. Updates to the Hautapu Structure Plan Map – to include additional wording for roading and access timing of construction, additional safety measures and upgrades, pedestrian/cycle paths, corrected location of basin 4.

## CONCLUSION

25. As stated within Section 9 of the s42A report, my overall recommendation, pursuant to clause 10 of Schedule 1 to the RMA is to approve PC17, and that the submissions and further submissions be determined in accordance with the report and the specific recommendations within the submission tables within Section 6 of the report. Recommended amendments to District Plan chapters are shown within Appendix A to the s42A report, subject to any amendments that may be made through the Hearings Panel’s decision.
26. I will update my statement of evidence to accommodate any further or new matters that may be raised between the date on which my evidence is filed and the first day of the hearing on PC17.



**NEDA SARA BOLOURI**  
**13 FEBRUARY 2023**