

**BEFORE THE HEARING PANEL**

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

**AND**

**IN THE MATTER** of Proposed Plan Change 17 to the Waipā District Plan –  
Hautapu Industrial Zones

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**SUPPLEMENTARY STATEMENT OF EVIDENCE OF GARETH ELLIOT MORAN ON  
BEHALF OF KAMA TRUST**

**(PLANNING)**

**Dated 26 May 2023**

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## INTRODUCTION

1. My full name is Gareth Elliot Moran. I have the qualifications and experience as set out in my statement of evidence dated 13 March 2023 (**original statement**) and rebuttal statement of evidence dated 17 March 2023.
2. As per my original statement and rebuttal evidence, I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it. In that, I confirm that this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
3. The purpose of this statement is to respond to sections of evidence prepared on behalf of the Hautapu Landowners Group (**HLG**) that were previously deemed to be 'out of scope'. I will also comment on Waipā District Council's (**Council**) Addendum to the Section 42A Report dated 18 May 2023 and key findings of the expert caucusing sessions.
4. I confirm that I have read all the expert evidence and focus my supplementary evidence on the statements that I consider are necessary to respond to.

## SCOPE OF EVIDENCE

5. This supplementary evidence will comment on:
  - a) Evidence submitted on behalf of HLG that was originally deemed 'out of scope', but is now considered to be within scope;
  - b) The Addendum to Council's s 42A Report; and

- c) Unresolved matters following expert caucusing.

### **EXECUTIVE SUMMARY**

6. The original proposed structure plan for PC17, as notified, remains the most efficient and effective way to deliver much needed industrial zoned land to Cambridge. Kama Trust supports Council's approach as set out in the notified version of PC17.
7. If PC17 is to be used as a vehicle for re-zoning the HLG land as deferred industrial zone, this should only occur on the basis that the development of HLG land does not frustrate the development of the Kama Trust block (Area 6).
8. It is the expectation that 'Area 6' will be developed independently, as per the original structure plan design, with the ability for infrastructure to be integrated with HLG land in the future.
9. For development to occur efficiently, it is critical that fully serviced industrial zoned land is not tied to any deferred industrial land development. If there is to be a 'deferred zoning' of the HLG land, the deferred nature cannot be ignored, so tagging development in the live zone to this deferred area must be avoided. Otherwise, in my view PC17 will fail the efficiency and effectiveness tests in s 32 of the RMA, which are critical to its approval.
10. In reliance on the expert evidence of Mr Hall I consider the development of the Area 6 land for industrial purposes will not generate adverse traffic effects on the Allwill Road/Hautapu Road intersection that warrant addressing through signalisation. That intervention may be required if the HLG land is ultimately developed for industrial purposes.
11. I agree with Mr Hall's concerns that requiring the signalisation of Allwill Rd before Area 6 is developed will likely slow development of that area, and

frustrate Policy 7.3.4.9 which seeks to enable the relocation of activities from Carter's Flat.

#### **ADDENDUM TO ORIGINAL STATEMENT AND REBUTTAL**

12. Much of my original statement and rebuttal evidence centred around demonstrating that the potential adverse effects on the HLG land could be avoided or mitigated through district plan provisions and the design configuration of the Structure Plan.
13. Working on the assumption that the HLG will become 'deferred industrial' and then 'live' industrial in the future, long-term boundary treatments along the northern boundary of Area 6 will no longer be required, as the standard Hautapu Structure Plan, District Plan provisions will sufficiently mitigate any potential effects.
14. In the interim, prior to the potential 'live' zoning of the HLG land, the boundary treatments (setbacks, landscaping, mounding) along the northern boundary of Area 6 will need to remain in place.
15. It is re-emphasised that the stormwater basin shown on the structure plan, which ultimately governs the extent of the boundary setbacks on the northern boundary, is based on an indicative design, which will need to be finalised at the detailed design phase. On this basis, the stormwater pond size could change once the final design has been undertaken.
16. In summary, my conclusions outlined in my original statement which ascertain that any potential effects on HLG land relating to amenity, live stock, odour, traffic and three waters will remain acceptable in the interim period.
17. Conversely, if HLG land is rezoned in the future; any potential adverse effects will be managed through the Industrial Zone provisions of the District Plan, which will be applicable to both Area 6 and HLG's land.

**REBUTTAL TO EVIDENCE OF MR CHRISP**

18. The evidence prepared by Mr Chrisp supports the addition of HLG as part of PC 17. Leaving aside any debate about the merits of the HLG land becoming deferred industrial, it is critical that if this is to occur, it should not undermine or frustrate the efficient development of Area 6 land for industrial purposes. To that end it is essential that any deferred zoning of the HLG land is subject to the following key points:
  - a) If the HLG land is to be rezoned 'deferred industrial' as part of PC17, a trigger must be in place requiring that it will only be developed following Area 6 reaching a minimum of 80% occupancy capacity or by 31 March 2030, whichever comes sooner;
  - b) The development of HLG land will not frustrate the immediate development of 'Area 6', particularly in relation to the design and provision of infrastructure; and
  - c) Area 6 will be developed independently of the deferred industrial zone, with the ability to integrate with HLG land in the future. Kama Trust accepts that it must ensure that its development of Area 6 will be capable of integration and must not sterilise the future development of HLG land.
19. This ability for Kama Trust and Area 6 land to develop independent of any deferred industrial zoning is critical to the planning framework. It would be poor planning process to establish a rule framework that made development of a 'live zoned' area subject to works or designs within a 'deferred zoning' which is yet to be confirmed.
20. Fundamentally, if there is to be a 'deferred zoning' of the HLG land, the deferred nature cannot be ignored, so tagging development in the live zone

to this deferred area must be avoided. Otherwise, in my view PC17 will fail the efficiency and effectiveness tests in s 32 of the RMA, which are critical to its approval.

#### **COUNCIL'S SECTION 42A ADDENDUM**

21. In principle, subject to the matters raised in my evidence, I do not oppose the recommendations made within Council's s 42A Addendum to include the potential rezoning of HLG land as deferred industrial within PC17.

22. I would like to make a clarification in relation to the second bullet point in paragraph 4.1.38 of Council's s 42A Addendum, as follows:

It was agreed that Road 4 could be extended to the boundary of the Structure Plan through a solid grey line as per the key in the Structure Plan which identifies it as an indicative local road. (It is noted here that Planning expert for Kama Trust, Gareth Moran, agreed that this should only be done once the Hearing Panel makes a decision in favour of HLG).

23. If HLG land is included as part of PC17, a road connection will need to be provided through Area 6 to unlock the land to the north in the future.

24. The construction of the road connection will likely occur when (or if) the HLG land becomes 'live' industrial in the future.

25. As previously mentioned, should PC17 be approved, Area 6 will be developed independently, with the ability to integrate with HLG in the future. On this basis, Kama Trust will not be responsible for the construction of a new road to the HLG boundary in the first instance.

26. An agreement will need to be reached at a future date when (or if) HLG land becomes a 'live' zone, suitable for development.

27. There is a second point of contention within Paragraph 4.1.38 of the Council's s 42A Addendum, regarding the signalisation of the Alwill Drive

intersection.

28. Mr Hall (Transportation Engineer) reaches the following conclusions regarding the safety and functionality of the intersection:

I have assessed whether the intersection between Allwill Drive and Hautapu Road is required to be signalised prior to development being completed within Area 6. It is my opinion that signalisation is not required for Area 6 as currently shown on the Structure Plan but would be required if the deferred industrial zone is to be included as part of Area 6. Assuming the Plan Change is approved, this allows industrial activities to relocate from Carter's Flat in accordance with Policy 7.3.4.9 without having to wait for additional infrastructure or assessment to be completed.

29. Based on the conclusions made by Mr Hall, I am satisfied that the Alwill Drive intersection is able to safely accommodate the additional traffic anticipated via the future development of Area 6 without the need for signalisation.

30. Mr Hall also identifies the significance of proposed Waipa District Plan Policy 7.3.4.9 which states as follows:

7.3.4.9 To enable lawfully established industrial activities within Carter's Flat Commercial Zone to relocate to Hautapu 'Area 6'.

31. I also concur with Mr Hall's assertion that the construction of a signalised intersection at Alwill Drive will create a further impediment and potential delays associated with the efficient relocation of existing business from Carter's Flat to Area 6. This in my view is in direct contrast to the intent of Policy 7.3.4.9.

32. Aside from potential signalisation of the Alwill Drive intersection, I am not in opposition to the key findings of Council's s 42A Report Addendum.

## **EXPERT CAUCUSING - TRANSPORTATION**

33. Aside from the unresolved point regarding the signalisation of Alwill Drive, it was agreed that any potential transportation effects associated with the possible rezoning of HLG land remain acceptable, subject to various mitigation measures outlined within Council's s 42A Report Addendum.

#### **EXPERT CAUCUSING – THREE WATERS**

34. It was agreed that a potential engineering solution could be developed in the future to encompass both Area 6 and the HLG land.
35. However, given there are a number of uncertainties associated with the possible future development of HLG land, particularly in relation to stormwater disposal, and a possible discharge consent to the Mangaone Stream, it is reiterated that Area 6 will need to be developed independently based on the agreed solutions and the configuration of the structure plan.
36. Once the deferred zoning is enabled, Area 6 will then integrate with HLG land at a point in the future.
37. It is accepted on behalf of Kama Trust that the development of Area 6 will be designed so that it will not sterilise the potential future development of HLG land.

#### **CONCLUSION**

36. Having read Council's s 42A Report Addendum, I am not opposed to the inclusion of the HLG land as part of PC17 provided that the development of HLG land does not frustrate the independent development of Area 6.
37. It is anticipated that Kama Trust will develop Area 6 independently of HLG, as per the original design, but with the ability for infrastructure to be integrated with HLG land in the future.



- 38 Based on the conclusions in Mr Hall's evidence, I disagree with Council's position that signalisation of the Allwill Drive intersection is required prior to the development of Area 6. I consider that Policy 7.3.4.9 is likely to be frustrated as a result.

**Gareth Elliot Moran**

**26 May 2023**