

HAUTAPU LANDOWNERS GROUP

SUBMISSIONS ON PLAN CHANGE 17 (HAUTAPU INDUSTRIAL ZONES) TO THE WAIPA DISTRICT PLAN

To:	<p>Plan Change 17 (Hautapu Industrial Zones) to the Waipa District Plan</p> <p>Waipa District Council Private Bag 2402 Te Awamutu 3840</p> <p>Via email: districtplan@waipadc.govt.nz</p>
Submitters:	<p>This is a joint submission by the following parties:</p> <ul style="list-style-type: none"> ▪ Dean Hawthorne / Anzac Trust, 358 Peake Road, Hautapu ▪ John Gundersen and Bernice Tuffery, 346 Peake Road, Hautapu ▪ Peter, Bridget, Alexander, and Christina Cameron / Kamariera Partnership, 376 Peake Road, Hautapu ▪ Tui Morgans Ltd, 412 Peake Road, Hautapu ▪ Sheryl Hawkes and Edward Clarke, 372 Peake Road, Hautapu ▪ Derek Hoyle / MW Industries Ltd, 84 Hautapu Road, Hautapu <p>Collectively referred to in this submission as the “Hautapu Landowners Group”. See Attachment 1 showing the submitters’ land holdings.</p>
Address for Service:	<p>C/- Mitchell Daysh Ltd PO Box 1307 HAMILTON 3240 Attention: Mark Chrisp</p>
	<p>M +64 27 475 8383 E mark.chrisp@mitchelldaysh.co.nz</p>

The Hautapu Landowners Group wishes to be heard in support of this submission.

The Hautapu Landowners Group could not gain an advantage in trade competition through this submission.

If others make a similar submission, the Hautapu Landowners Group would consider presenting a joint case with them at any hearing.

1. INTRODUCTION

1.1. The Hautapu Landowners Group welcomes the opportunity to submit on Plan Change 17 (“PC17”) to the Waipa District Plan.

1.2. This submission contains the following sections:

- Section 1:** Is this introduction.
- Section 2:** Provides background information on the properties owned by the Hautapu Landowners Group and their involvement in the planning process.
- Section 3:** Details the scope of the submission.
- Section 4:** Details the reasons for the submission.
- Section 5:** Sets out the relief sought by the Hautapu Landowners Group.
- Section 6:** Is a concluding statement.

2. BACKGROUND

2.1. Landowners in the Hautapu area, including the Hautapu Landowners Group, were first made aware of the proposed rezoning of the land owned by Kama Trust by way of a letter from Waipa District Council dated 26 May 2022. That letter advised what was proposed, stated that members of the public will have the opportunity to lodge a submission when PC17 was notified, and provided the contact details of Council’s Planning Consultant if anyone wanted to share their thoughts on the proposal.

3. SCOPE OF SUBMISSION

3.1. This submission relates to all of PC17 and, specifically, the proposed rezoning of the land owned by Kama Trust (referred to as ‘Area 6’) from Rural Zone to Industrial Zone shown in Figure 1 below.

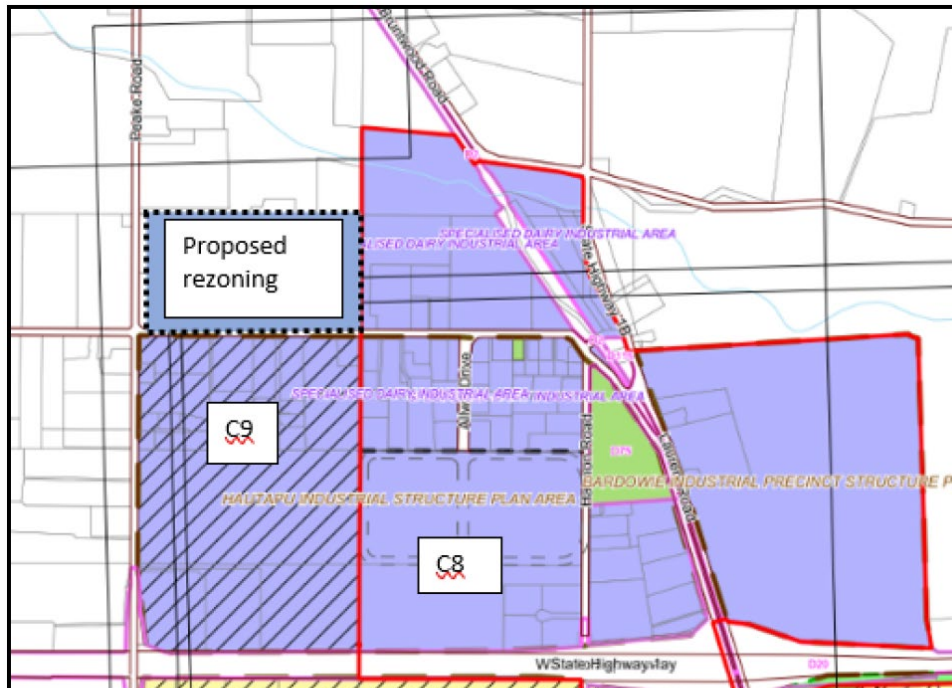


Figure 1: Reference map to show Area 6 as Proposed rezoning.

4. REASONS FOR SUBMISSION

- 4.1. The Hautapu Landowners Group opposes PC17 in its current form for the reasons set out below.
- 4.2. In its current form (as proposed in PC17), the rezoning of the Kama Trust land will have significant unmitigated effects on the Hautapu Landowners Group. These effects will include:
- The demise of a long established equestrian agistment business;
 - Significant adverse effect on the amenity of the properties (including existing dwellings) owned by the Hautapu Landowners Group including as a result of noise, night-time lighting / glare, traffic generation, dust, visual effects and the proposed management of stormwater;
 - The sunk costs associated with the construction of new dwelling near the boundary of the Kama Trust land (which was halted as soon as the landowner became aware of the proposed rezoning); and
 - The inability to realistically and sensibly implement a recently granted subdivision consent involving a Transferable Development Right.
- 4.3. The Hautapu Landowners Group is concerned about the manner in which stormwater is proposed to be managed (including as part of the wider Hautapu industrial area whereby stormwater from land to the south of Hautapu Road is conveyed to a large stormwater detention pond) which could have adverse effects on the land owned by the Hautapu Landowners Group. This includes concerns about the potential for groundwater mounding, contamination of groundwater and bores used for domestic and stock drinking purposes, overland flow of stormwater, and odour associated with the proposal to construct a large stormwater detention pond along the northern boundary of the land to be rezoned Industrial Zone. The proposed detention pond is proposed to be located along the boundary of the relevant Hautapu Landowners Group land.
- 4.4. Derek Hoyle / MW Industries Ltd is one of the submitters forming part of the Hautapu Landowners Group. If PC17 was approved in its current form, it would result in his property being split-zoned which makes no sense from a planning perspective. Furthermore, PC17 includes a proposed large stormwater detention pond which would physically dissect the property whereby access to the rear part of the property would not be possible and the consented activities on the land would no longer be able to occur (resulting in a significant effect on the business).
- 4.5. In short, the proposed re-zoning of the Kama Trust land does not reflect good planning practice and does not achieve the purpose of the RMA. This is emphasised by the use of a hard title boundary which is immediately adjacent to the neighbouring landowners. In that regard, The Hautapu Landowners Group would not oppose and indeed will support the proposed rezoning of the land owned by Kama Trust from Rural Zone to Industrial Zone if the land holdings owned by the Hautapu Landowners Group are rezoned to Deferred Industrial Zone as part of PC17. As previously discussed with Kama Trust and Waipa District Council, this would be on the basis that it would be 'live zoned' to Industrial Zone once the Kama Trust land has reached 80% development (meaning that 80% of the developable land area is the subject of s.224 certificates – as was the trigger for the C4 Growth Cell once Cambridge Park reached that level of development) or by 31 March 2030, whichever occurs sooner.
- 4.6. The Hautapu Landowners Group have engaged technical experts to investigate roading / traffic issues and the ability to service the land to the north of Kama Trust. It is intended that the outcome of that work will be provided to Waipa District Council prior to the completion of the s.42A report in relation to PC17. That said, it is noted that Waipa District Council's practice has been to identify logical growth cells and include them in strategic planning documents (such as Waipa 2050) and the Waipa District Plan and then subsequently undertake all the technical investigations to confirm that the land can be developed for its intended purpose. This culminates in the preparation of a Structure Plan which forms

the basis of a Plan Change to 'live' zone the land for its intended purpose (e.g. Plan Change 7 which live zoned the C1 and C2/C3 Growth Cells). In the present case, Waipa District Council will have a significantly greater level of technical information as part of PC17 than other growth cells already identified in Waipa 2050 and the Waipa District Plan.

- 4.7. This proposal will provide for compatible adjacent land uses (being the opposite of the proposal contained in PC17) and provide opportunity for the landowners to transition their businesses and homes over time.
- 4.8. The northern extent of the Deferred Industrial Zone would be the top of the escarpment on the southern side of the Mangaone Stream. In contrast to the situation in relation to the Kama Trust land, this would result in a setback of approximately 300m from the nearest residential activity to the north. The end result is a coherent expansion of the Industrial Zone using a natural setback from the Mangaone Stream as a logical northern topographical border (rather than just an arbitrary property boundary). Most Industrial Zones in the Waipa District are separated from other properties by roads on most boundaries providing a topographical border and setback of at least 20m. That situation applies in relation to the western interface of the proposed Deferred Industrial Zone (as it does in relation to the Kama Trust land).
- 4.9. The proposal is likely to result in better and more cost-effective outcomes in relation to servicing issues. This is particularly the case in relation to stormwater whereby the expanded area would facilitate the development of swales or detention ponds / wetlands with a controlled outlet to the Mangaone Stream (which would also avoid the issues noted above in relation to land being dissected and becoming unusable). Having a point of direct access to the Mangaone Stream was a key element in relation to the effective management of stormwater within the Bardowie Industrial Precinct. The planting of the land between the top of the escarpment and the Mangaone Stream (which could be required by a rule in the Plan) would be a further environmental enhancement which would help 'contain' any effects associated with industrial activities to the south.
- 4.10. Fonterra has recently secured resource consents for the construction and operation of a Wastewater Treatment Plant on its land immediately east of the land owned by the Hautapu Landowners Group. The ultimate rezoning of the land to the west of the Wastewater Treatment Plant to an Industrial Zone (initially proposed to be rezoned to Deferred Industrial Zone) will result in the coexistence of more compatible land uses compared to the existing situation and that proposed in PC17.
- 4.11. In summary, in terms of the planning merits associated with the proposed Deferred Industrial Zone (particularly compared with the situation currently proposed in PC17), there is significant upside and comparatively little if anything in the way of downside. In short, this will result in a better planning outcome.

5. DECISION SOUGHT

- 5.1. Confirm the proposed rezoning of the land owned by Kama Trust from Rural Zone to Industrial Zone only on the basis that the land holdings owned by the Hautapu Landowners Group are rezoned to Deferred Industrial Zone as part of PC17 (as shown on the attached plan presented as **Attachment 1**). This can include a proviso that the land holdings owned by the Hautapu Landowners Group would not be 'live zoned' to Industrial Zone until the Kama Trust land has reached 80% development (meaning that 80% of the developable land area is the subject of s.224 certificates) or by 31 March 2030, whichever occurs sooner. Any live zoning would be subject to the preparation of a Structure Plan (including all necessary technical investigations being completed) and a Proposed Change to the Waipa District Plan being approved.
- 5.2. If the relief sought above is not accepted, reject the proposed rezoning of the land owned by Kama Trust from Rural Zone to Industrial Zone.

6. OVERALL CONCLUSION

- 6.1. The Hautapu Landowners Group is of the opinion that, in its current form, the re-zoning of the Kama Trust land to industrial does not promote sustainable management of resources, and will not achieve the purpose of the RMA; is contrary to Part 2 of the RMA; does not achieve integrated management of the effects of use, development or protection of land and associated resources of the Waipa District; is not the most appropriate way to achieve the objectives of the Waipa District Plan pursuant to section 32 of the RMA.
- 6.2. In contrast, the Hautapu Landowners Group is of the opinion that the alternative relief proposed above presents a sounder planning approach and, if implemented, PC17:
- will promote sustainable management of resources, and will achieve the purpose of the RMA;
 - is not contrary to Part 2 and other provisions of the RMA;
 - will enable the social and economic well-being of the community;
 - will meet the reasonably foreseeable needs of future generations;
 - will achieve integrated management of the effects of use, development or protection of land and associated resources of the Waipa District;
 - will enable the efficient use and development of the Hautapu Landowners assets and operations, and of those resources; and
 - represent the most appropriate way to achieve the objectives of the Waipa District Plan, in terms of section 32 of the RMA.

Dated: 11 November 2022

The Hautapu Landowners Group by their duly authorised agent:

Mitchell Daysh Limited



Mark Chrisp

Attachment 1: Plan of Landholdings owned by the Hautapu Landowners Group (to be rezoned to Deferred Industrial Zone)

Hautapu Landowners Group Land Holdings - Area to be Rezoned Deferred Industrial Zone

Print Date: 09/11/2022



Scale: 1:2500

Original Sheet Size A3

Projection: NZGD2000 / New Zealand Transverse Mercator 2000
Bounds: 19529748.3891758, -4559342.71610018
19530638.1639582, -4558799.29660222

Digital map data sourced from Land Information New Zealand. CROWN COPYRIGHT RESERVED. Copyright © Waipā District Council. Aerial Photography from Terralink, NZ Aerial Mapping & NZ Aerial Surveys & AAM NZ Ltd & Landpro Ltd (Flown 2002, 2006, 2007, 2008, 2010, 2012, 2015, 2017, 2018 and 2021). The information displayed has been taken from Waipā District Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed and should be interpreted conservatively. If the information is relied on in support of a resource consent it should be verified independently.