

BEFORE THE WAIKATO DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991 **(the Act)**

AND

IN THE MATTER OF the submission points made by Lakeside
Developments 2017 Limited (LDL) on the Lakeside Te
Kauwhata provisions of the Proposed Waikato District
Plan (Submission 579 and Further Submitter No.
1371)

SUMMARY STATEMENT BY JOHN ROBERT DUTHIE
ON BEHALF OF LAKESIDE DEVELOPMENT LIMITED

(Planning)

13 March 2020

Introduction

1. This is a summary statement of my planning evidence on behalf of Lakeside Developments 2017 Limited (LDL). I note that I did not use the formal company name in my evidence in chief. I called it 'Lakeside Developments Limited' instead of "Lakeside Developments 2017 Limited". I would appreciate it if the record could be amended accordingly. I apologise for the inconvenience.

The land at Te Kauwhata subject to the Lakeside provisions has been through an extensive community and iwi consultation, Council and stakeholder engagement, , and hearing process; to identify the appropriate planning framework and provisions for Lakeside. These provisions have been well tested and are now settled.

2. The core basis of LDL's submission was that PPC20 had had an extensive and robust round of consultation and testing through the hearing process. All matters were resolved without appeal. Lakeside's position, which I strongly agree with, is that the proposed plan should essentially roll those provisions over into the new plan. Hearing Commissioners have found these to be the appropriate provisions to provide the right planning outcome for this part of Te Kauwhata. Mr Matheson, who prepared the section 42A report on behalf of the Council, essentially agrees.
3. Consequently the Lakeside submissions are essentially seeking to:
 - support the concept of a special set of planning provisions for Lakeside;
 - correct a few omissions from the rollover of the provisions;
 - in a couple of very limited circumstances, seek some changed provisions; and
 - explain why Lakeside is opposed to a number of submitters who want to change the outcomes of PPC20.
4. Commissioners asked me to produce a track change version of the provisions I wanted changed by reference to the Council's section 42A report. Mr Matheson's rebuttal report has adopted or adapted the requests made in my evidence. For reasons outlined below we are fully aligned and LDL is not seeking only those

changes recommended by Mr Matheson. Hence there is no track changed version of provisions attached to this summary.

Council's rebuttal evidence

5. I have read the evidence of Mr Matheson in rebuttal.
6. I believe there was a high degree of consensus between my view and Mr Matheson's view in the section 42A report. There is total alignment now that I have read Mr Matheson's rebuttal evidence. I support all the changes to the plan provisions Mr Matheson recommends. LDL is not seeking any additional changes.
7. Mr Matheson has suggested a way of managing the issue of needing to rebuild the stop bank and walkways and path system within a "significant natural area". Effectively he has supported my alternate approach which is to make this work effectively a restricted discretionary activity so that it aligns in with the 'comprehensive land development consent'. I think this is a sound approach. LDL agrees this approach and no longer seeks to have the stop bank area removed from the "significant natural area classification". The alternate approach suggested by myself and refined by Mr Matheson will achieve the overall objective.
8. I appreciate Mr Matheson's view that the submitters' request for setbacks from side and rear yards for what are effectively upper floor balconies is not appropriate in the context of Lakeside. This acknowledges the significant integrated master planning that has occurred at Lakeside and the way this is reflected within the plan provisions. I agree Mr Matheson's approach.
9. Were the submitters request to be allowed this would have a significant and detrimental impact on the form and importantly affordability of Lakeside.
10. Mr Matheson has agreed some changes in the rural zone to delete certain rural activities. He has accepted my point that this rural zoning is very unique in that it only applies to this 43ha block within the entire Waikato district area.

Furthermore, the land being in the flood plain and the 'open space overlay' reflects this area's unique and special characteristics; which mean certain normally accepted rural uses are no longer appropriate. I agree with Mr Matheson's suggested changes.

11. I accept the other points in Mr Matheson's rebuttal evidence.
12. LDL requests you make all the changes recommended by Mr Matheson in the combined section 42A report and rebuttal evidence.

Evidence before you

13. I note that there are only four sets of evidence for this hearing, and only one other party appearing before you.
14. KiwiRail is simply supporting the noise and vibration standards within the plan change associated with the North Island main trunk. These matters were carefully negotiated with KiwiRail at the time. They are already in the plan. Lakeside accepts that KiwiRail is simply supporting the current position.
15. The Ministry of Education is wanting to make schools easier to locate within the precinct. LDL has offered the Ministry of Education a school site. The first site, which was accepted by officials, now seems to be not favoured. LDL is probably ambivalent about the education issue. I originally contemplated they would put the school in by way of designation, but LDL is equally comfortable with a school being provided for as a restricted discretionary activity.
16. The submission by Terra Firma Resources Limited is really a holding position so that they can include the Lakeside equivalent definition of 'community activity' within their development at Puketirini. I have no comment on the applicability of this activity status to their land. Suffice to say, this submission probably has no status in the Lakeside area, although I take their planning consultant's view that they are only appearing at this hearing because they believe they have been miscoded, and they want to ensure that they do not lose overall status due to this miscoding.

17. Consequently I have no issues with the evidence placed before you.

The fundamental planning benefit of Lakeside

18. Because there are no submitters appearing or evidence placed before you on some of the more fundamental issues raised by submitters; the Council's 42A reports, rebuttal evidence, my evidence and this summary statement has focused on the fine tuning of provisions which are the subject of evidence and debate. I do however want to finish this summary by reinforcing the overall strategic importance that I see for the Lakeside provisions. Lakeside delivers important lifestyle choice and affordable housing options for a key part of the northern Waikato community. This is particularly for people who want to live or remain living in the rural environment or townships of the northern Waikato. It introduces higher levels of density than have been traditionally provided for within these townships. It does this in a location that complements and does not detract from the existing character of the Te Kauwhata township. Prior to lakeside, the smallest site size you could purchase in Te Kauwhata was 450m².

For people either:

- retiring off the farms,
- still wanting to live within the rural community but not being able to afford the rural lifestyle blocks,
- for young people and contractors wanting to buy into their first home, or
- people who simply want a small section to give a more manageable home and garden maintenance obligation,

Lakeside offers a variety of lifestyle choices with sections from 250m². From a planning perspective this helps underpin a diverse community in Te Kauwhata reflected in a range of available housing typologies. The smaller section size drive the affordability economics of people being able to obtain an architecturally designed home for under \$500,000 with views out across the lake. It does this in a location which is self-contained, and close to the town centre and key recreational and community facilities.

19. Lakeside is effectively an independent self-contained neighbourhood adjacent to the township. It helps balance the residential development of Te Kauwhata. Currently the town centre and decommissioned rail station are at the western

end of the core residential development of Te Kauwhata. Creating a town centre and station in the middle of a township helps reinforce the walkable community and will become a catalyst for recommissioning of the rail station. Lakeside to the south and other Council initiatives to the west will help achieve this.

20. Lakeside helps Waikato District Council:

- Meet its growth strategy.
- Provide affordable housing into the township.
- Opens up Lake Waikare.

21. In my view, the submissions seeking to prevent the higher and medium density development of Lakeside cut against these key objectives and result in poor planning outcomes. As recommended by the Council and myself, retaining the density provisions and urban design approach of Lakeside will deliver the right planning outcome.

22. In conclusion, I fully support the amendments put forward by Mr Matheson through the section 42A report as adjusted through his rebuttal evidence. The only provision I request be added is the subdivision clause set out below.

John Duthie