

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **AMBURY PROPERTIES LIMITED** pursuant to Clause 6 of Schedule 1 of the Act seeking the rezoning of land at Ohinewai

SUMMARY STATEMENT OF STUART MATTHEW PENFOLD

1. My name is Stuart Matthew Penfold. I am a planning consultant and Senior Planner at Bloxam Burnett & Olliver (BBO), a firm of consulting engineers, planners and surveyors based in Hamilton. I prepared a statement of evidence dated 9 July 2020. The purpose of this document is to summarise that statement.
2. I outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness code of conduct in my evidence in chief ("EIC").

Consideration of key issues

3. The planning expert conferencing identified key issues where information was considered to remain outstanding. My evidence has considered the key issues identified and with reference to the expert evidence of others, I have provided an assessment of the scale or significance of the issue and whether or not plan provisions are required to address it.
4. Key matters relating to transport, wastewater and water supply servicing, infrastructure costs, ecology and the provision of financially accessible housing were considered. In my opinion and having accounted for expert evidence, the section 42A report and matters raised by submitters, there are no matters that cannot be appropriately managed via either proposed plan provisions and / or the confirmation of private development agreements.

Consideration of other infrastructure and effects-related issues

5. While not being identified as key issues within the planning expert conferencing I have completed as assessment of other effects as a result of development enabled by the rezoning. In my opinion and having accounted for expert evidence, the section 42A report and matters raised by submitters, there are no matters that cannot be appropriately managed via proposed plan provisions.

Plan provisions

6. To account for the staging of infrastructure and the management of effects enabled by the rezoning, proposed plan provisions have been formulated to be incorporated into the District Plan. Plan provisions have been formulated to address the following:
 7. The staging of transport infrastructure, including infrastructure improvements externally to the site such as the proposed pedestrian and cycling overbridge.
 8. The staging of wastewater and water supply infrastructure. This staging restricts development within the OSP area until such time that servicing is available.
 9. Ecological management matters, including requirements for the ecological rehabilitation and management plan framework, fish and bat management plans and predator control.
 10. Stormwater management and flood risk, including requirements for stormwater management plans and minimum ground levels for development within the OSP area.
 11. Landscape effects, including landscaping buffers and building setbacks.
 12. Noise effects, including noise provisions for existing game bird hunting adjacent to the site.
 13. Refinements of the proposed plan provisions have also been undertaken in consultation with submitters up to the Hearing. Refinements have included updated plan provisions relating to suitable building platform levels (with Waikato Regional Council) and details relating to Ecological Rehabilitation Management Plans with respect to predator control (Fish and Game).

14. Having reviewed the updated s42A report dated 7 September 2020, I remain of the opinion that there are no matters that cannot be appropriately managed via either proposed plan provisions and / or the confirmation of private development agreements.
15. I note that significant progress has been made with respect to private development agreements for the funding of infrastructure and for providing options for public transport.
16. With respect to updated plan provisions, I concur with Chloe Trenouth and acknowledge her position that if the Commissioners were of a mind to approve the rezoning, that revisions will be required to account for drafting improvements and to account for the positions of experts on key issues to be covered in the Hearing.

Stuart Matthew Penfold
9 September 2020