

**BEFORE THE HEARINGS COMMISSIONERS FOR THE WAIKATO DISTRICT  
COUNCIL**

**UNDER** the Resource Management Act 1991  
**AND**  
**IN THE MATTER** of hearing submissions and further submissions  
on the Proposed Waikato District Plan  
Hearing 25 – Zone Extents

**PARTIES REPRESENTED** Z & Z Developments Limited Partnership (114)

---

**STATEMENT OF PLANNING EVIDENCE FROM SAM SHUKER FOR Z & Z  
DEVELOPMENTS LIMITED PARTNERSHIP**

*3 May 2021*

---

## **MAY IT PLEASE THE PANEL**

### **Introduction**

1. This is a planning statement of evidence on behalf of Z & Z Developments Limited Partnership (**Submitter**) relating to providing rebuttal evidence to the Section 42A Hearing Report (**Report**) for Te Kauwhata (Hearing 25). This evidence is for the proposed rezoning of 102 Travers Road, Te Kauwhata (**Site**) which is subject to the Proposed Waikato District Plan (**PWDP**).
2. For my qualifications and experience, refer back to the previous evidence I provided.
3. In regard to the expert witness code of conduct, my stance has not changed from the previous evidence provided, I agree to comply with it.

### **Purpose and Scope of Evidence**

4. My evidence will address the following matters:
  - a. Potential rezoning to Residential Zone;
  - b. Relevant Statutory Documents;
  - c. Opposing Submissions;
  - d. Section 32AA Evaluation;
  - e. Integrated Development; and
  - f. Low-lying Wet Area.
5. For any background information please refer to the original evidence and s32AA evaluations provided for the Site.

### **Potential rezoning to Residential Zone**

6. When the original submission to rezone the site was being prepared, there were lots of pockets of Village Zone. Seeing as recommendations have gone away from this and predominantly Future Urban is being proposed, a Residential zoning may be a more practical option for the Site.
7. I know this is not common practice to change the relief sought this late in the process, however, the intent of the initial submission was to increase the

density and propose an urban zoning which is still within the scope if Residential is proposed.

### **Statutory Documents**

8. The information provided in my original evidence in regard to the relevant statutory documents is still relevant as I talked about increasing the density of the Site, which will still be applicable with a Residential zoning.
9. In Paragraph 164(d-f) of the Report, the writer has specified that the current proposal does not give effect to the following:
  - a. Policy 10 of the National Policy Statement – Urban Development (NPS-UD);
  - b. Objective 3.12 and Policy 6.1 and 6.3 of the Waikato Regional Policy Statement (WRPS); and
  - c. Objective 4.1.1 and 4.1.2 of the PWDP.
10. The objectives and policies relate to integration, sustainability and planning of land uses and infrastructure.
11. These will all be able to be achieved if the Site is rezoned to Residential. The Site adjoins the Residential Zone, where future road and infrastructure connections can be made to provide an integrated and sustainable development.

### **Opposing Submitters**

12. In terms of the opposing submitters, they were opposing a higher density. It is more than likely that all the points that were raised would have been the same (or similar) if a Residential zoning was sought initially. Additionally, no submitter evidence was submitted by the opposing submitters. All submissions relating to the Site have been addressed in my original evidence.

### **Section 32AA Evaluation**

13. The information provided in the original evidence will still apply, in regard to the Section 32AA evaluation, as the main theme of increasing the density of the zoning will still be relevant.

14. In terms of the costs and benefits analysis, the findings will be very similar with a lot of the benefits being increased due to a higher density being sought. The only two costs that would be increased are the neighbouring Country Living sites would now be adjoining a higher density zone and additional upgrades to public infrastructure may be required.
15. In regards to the increase in density, as mentioned above, the opposing submitters were opposing a higher density to start with so their concerns would more than likely be the same (or similar) to the initial relief sought. Please refer to my initial evidence, where I have addressed all the submitters concerns.
16. In terms of infrastructure, this will be covered by the increase in development contributions from additional lots being created.
17. All findings from the initial Section 32AA evaluation will remain the same.

### **Integrated Development**

18. As suggested by the Report writer in Paragraph 164(c), the site is a candidate for more intensive development by potentially rezoning it to Residential, given it is located within the urban limits of the Future Proof 2017. I agree with this statement and is a reason why the change in relief sought.
19. The writer has mentioned that it will be difficult to provide integrated future intensification of the Site if it is zoned Village or Country Living. This is supported by the Environment Court Decision referred to in the Report, which specifies that the most significant problem with Country Living is it cannot be adapted to provide more conventional urban densities (Paragraph 54). This is another reason why a Residential zoning is sought.
20. One thing which has not been raised by the Report writer is that an indicative road has been shown on the PWDP maps running through the middle of the Site, as per the image below. If the Site remains Country Living, this road will not be developed. However, if the Site is zoned Residential a road will be able to be developed in accordance with the planning maps. This will help to provide connectivity and additional transport routes between the neighbouring sites and Travers Road.



*Figure 1: Image of Site, in red, showing Indicative Road*

### **Low-lying Wet Area**

21. In Paragraph 160 of the Report, the writer discusses the Environmental Court Decision which talks about the low-lying wet area the Site is subject to. As mentioned in my original evidence, a higher density development would allow for stormwater to be appropriately managed and controlled. Any stormwater related issues will be mitigated through appropriate techniques that considered the wider upstream/downstream catchments and the natural flow paths that traverse the Site, one of which is already protected by a drainage easement.

22. Additional to this, a Geotechnical Report was included within the original submission. This report stated that there are no indications of large-scale instability features onsite and the site was generally suitable for residential development.

**Sam Shuker**  
**3 May 2021**