

UNDER the the Resource Mangement Act 1991 ("RMA")
IN THE MATTER of Proposed Waikato District Plan (Stage 1) Hearing 25 –
Zone Extents

**SUMMARY STATEMENT OF EVIDENCE OF CATHERINE LYNDA
HEPPELTHWAITE ON BEHALF OF 2SEN LTD AND TUAKAU ESTATES
LIMITED**

[Submission 299]

PLANNING EVIDENCE

1. INTRODUCTION

1.1 My full name is Catherine Lynda Heppelthwaite (Cath). I am providing evidence on behalf of the Submitters in relation to their joint submission on the Proposed Waikato District Plan (Stage 1) ("**PDP**"). My qualifications and experience are set out in paragraphs 1.2 to 1.5 of my Evidence in Chief dated 17 February 2021 ("**EIC**"). The purpose of this statement is to summarise my EIC and provide general commentary in respect of matters arising in evidence on behalf of other submitters, and section 42A reports prepared by Council.

2. SUMMARY OF EIC

- 2.1 My key points from this statement of evidence are:
- a. The Proposed Waikato District Plan ("**PDP**") proposes a partial rezoning of 48 and 52 Dominion Road. The partial re-zoning has its nexus the Franklin District Growth Strategy, Tuakau Structure Plan and Plan Change 16. The basis of a *partial* rezone of the sites was to manage potential reverse sensitivity effects (air quality and noise) from the Bollard Road industrial area.
 - b. The Submitters propose residential zoning over the full extent of both sites ("**Rezoning Request**").
 - c. Air quality and acoustic evidence is provided which indicates that, with the addition of one rule, amenity for residents can be provided and potential for reverse sensitivity effects avoided or appropriately mitigated.

- d. Assessments of transport and infrastructure capacity confirm that additional infrastructure capacity is either available or, in the case of transport, may require upgrading in future but that upgrading is not causally linked to the Rezoning Request.
- e. Technical assessment prepared for earlier planning processes (Tuakau Structure Plan and Plan Change 16) provide sufficiently detailed assessment to support the rezoning request relative to flooding, catchment management, archaeology, built heritage, visual and landscape amenity, geotechnical and ground contamination.
- f. A s32AA analysis concludes the Rezoning Request is the most efficient and effective method, and the three 'lenses' contained with the Framework Report have been satisfied.

3. SUBMISSIONS

- 3.1 I draw the Panel's attention to the following sections of my EIC which address the further submissions and evidence from:

Waka Kotahi New Zealand Transport Agency (FS1202)

- 3.2 Waka Kotahi initially opposed the Rezoning Request but has updated its position in evidence to 'neutral'¹.

Waikato Regional Council (FS1277)

- 3.3 Waikato Regional Council ("**WRC**") raised four points in its further submission opposing the Rezoning Request. These matters are either addressed in my EIC or the s42A reports². I have provided cross-references in Attachment 2. Ms Foley³ for WRC has submitted rebuttal evidence which indicates continued opposition to some areas proposed for rezoning within Tuakau, the rebuttal does not include opposition for the Submitters' site.

¹ EIC of Michael Wood, 10 March 2021, paragraph 6.2.

² Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021 and Proposed Waikato District Plan Hearing 25 Zone Extents Framework Report prepared by Dr Mark Davey Date: 19 January 2021.

³ Rebuttal Evidence of Marie-Louise Foley for Waikato Regional Council, 27 April 2021, paragraph 6.1.

Te Whakakitenga o Waikato Incorporated (Waikato Tainui) Waikato Tainui
(FS1108)

3.4 Waikato Tainui have made a broad submission. In addition to Ms Trenouth's commentary⁴ regarding involvement of mana whenua more generally, I have reached out to Waikato Tainui to begin the engagement process (pending confirmation of the rezoning) relative to further development of the site.

4. COMMENTS ON SECTION 42A REPORT

4.1 Ms Trenouth's s42A report supports the full rezoning of the sites⁵. The s42A report also adopts⁶ an additional rule which I proposed for inclusion within PDP. The rule is for a new Amenity Yard and the approach mimics other similar rules⁷ in the PDP.

4.2 In direct response to a request within the s42A report, I have liaised with Mr Grey, planning consultant representing Mr Shen / 54 Dominion Road which adjoins the Submitters' sites to the west. Ms Trenouth recommended a plan showing an Amenity Yard be prepared which reflects 48, 52 and 54 Dominion Road. I include this as Attachment 1 and understand Mr Grey will do the same for Mr Shen.

4.3 The Attachment 1 Plan slightly modifies the eastern end of the Amenity Yard (as compared with Figure 6 of my EIC) in order to better align with the boundary offsets at 54 Dominion Road. Mr Curtis has addressed this in his Summary Statement and considers there are no perceptible effects of this change.

Catherine Lynda Heppelthwaite

12 May 2021

⁴ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021, paragraph 22.

⁵ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021, paragraph 176.

⁶ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021, paragraph 178.

⁷ For example Rule 16.3.10, Horotiu Acoustic Area

Attachment 1: Amenity Yard for 48, 52 and 54 Dominion Road



Attachment 2: Reference for WRC Submission Points

- a. *Within Future Proof urban limits, partially zoned residential but only partially identified in Waikato 2070*

This is acknowledged and the suitability of the site for full residential zoning is the primary topic of my EIC. Ms Trenouth⁸ also concludes that the site is suitable for full re-zoning.

- b. *Contains high class soils, needs to consider in context of WRPS Policy 14.2*

Mr Grey⁹ and Ms Trenouth¹⁰ address this matter and I accept their evidence on this.

- c. *Stream and flood prone areas should be excluded.*

Stream and flood areas are addressed by Mr Alderton and in paragraphs 6.46, 6.29 and Attachment 5 of my EIC which highlights the need for an esplanade reserve and identifies known flood hazards.

- d. *No assessment against the alternative land release criteria (WRPS 6.14.3).*

The following evidence addresses WRPS 6.14.3(a), (c) and (d); criteria (b) relates to industrial land so is not relevant:

- i. Criteria 6.14.3(a): The EIC of Mr Hills and Mr Alderton confirm sufficient infrastructure is, or can be made available ;
- ii. Criteria 6.14.3(c): In paragraph 6.40 of my EIC I accept Dr Davey's opinion with regard to the need for additional dwelling capacity. I have reviewed Mr Davey's supplementary statement¹¹ and this does not change my position.
- iii. Criteria 6.14.3(d): Attachment 4 of my EIC contains an assessment of WRPS Section 6A).

⁸ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021, paragraph 176.

⁹ EIC of Mr Grey, paragraph 3.9

¹⁰ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Zone Extents Tuakau Report prepared by: Chloe Trenouth Date: 14 April 2021, paragraphs 184 and 423.

¹¹ Section 42A Report on submissions and further submissions on the Proposed Waikato District Plan Hearing 25: Framework report: Supplementary Evidence Report prepared by Dr Mark Davey Date: 28th April 2021.