

BEFORE AN INDEPENDENT HEARINGS PANEL OF THE WAIKATO DISTRICT COUNCIL

Under the Resource Management Act 1991

In the matter of the Waikato IPis – Waikato District Council Variation 3

**SUPPLEMENTARY STATEMENT OF RACHEL VIRGINIA DE LAMBERT ON BEHALF OF HYNDS
PIPE SYSTEMS LIMITED, THE HYNDS FOUNDATION AND POKENO VILLAGE HOLDINGS
LIMITED (LANDSCAPE AND VISUAL)**

28 July 2023

1. INTRODUCTION

1.1 My full name is Rachel Virginia de Lambert.

1.2 I prepared a statement of primary evidence dated 4 July 2023 on behalf of Hynds Pipe Systems Limited and the Hynds Foundation (together, **Hynds**) and Pokeno Village Holdings Limited (**PVHL**).

1.3 My qualifications and experience are as set out in my primary evidence.

1.4 I reconfirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this supplementary statement of evidence.

2. UPDATED POSITION

2.1 Since I lodged my statement of primary evidence on 4 July 2023:

(a) I have considered the statements of rebuttal evidence of Ms Bridget Gilbert and Mr Mark Tollemache on behalf of Havelock Village Limited (**HVL**) in which they propose a 5-m height limit be applied over all of Area 1 as alternative relief;

(b) I have reviewed the joint witness statement (**JWS**) between Ms Nairn on behalf of Hynds and Mr Tollemache on behalf of HVL, which confirms their joint support for that position and attaches an agreed set of provisions for Variation 3; and

(c) I have been advised that Hynds and HVL have entered into a side agreement addressing additional matters relating to potential reverse sensitivity effects, that sit outside of the Variation 3 process.

- 2.2** I confirm that I support the 5-metre height restriction over Area 1 that has been proposed by Ms Gilbert and Mr Tollemache and is supported by the JWS. In particular, I consider the 5-metre height restriction over Area 1 and the side agreement matters will address the concerns identified in my primary evidence. Namely, that medium density residential development (with a permitted height of 3 stories) within Area 1 will result in reverse sensitivity effects due to dwellings in Area 1 overlooking the Hynds Factory site and Heavy Industrial zone.
- 2.3** Accordingly, provided that this agreed height restriction is applied over Area 1 I no longer support the Pookeno Industry Buffer being extended over Area 1 to address reverse sensitivity effects, as proposed in my primary evidence.¹
- 2.4** The other part of my primary evidence related to the parts of HVL's site above RL100 that have been zoned Rural under the Proposed Waikato District Plan (decisions version). In relation to these areas, I indicated in my primary evidence that I did not support the application of Height Restriction Areas to this land, on the basis that given the land is not residential land, any such changes are outside the scope of Variation 3.² I understand that the Council has accepted that such changes are outside the scope of Variation 3 and the Council's updated Precinct Plan has made that change. Accordingly, Hynds and PVHL will not be pursuing this point at the hearing.

Rachel de Lambert

28 July 2023

¹ My primary evidence, paragraph 4.1.

² My primary evidence, paragraph 4.4.