

STATEMENT OF EVIDENCE

In the matter of

The Resource Management Act 1991 (RMA)

And

Proposed Hamilton City District Plan Change 3 – Temple
View Boundary Alteration

Witness:

Laura Galt

Date:

20 June 2019

Introduction

1. My full name is Laura Jane Galt. Please refer to paragraphs 1.1 - 1.3 of the section 42a hearing report for my:
 - qualifications and experience; and
 - agreement to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014.
2. Also attending the hearing are the following Expert Witnesses:
 - Mr Alastair Black – Transportation
 - Mr Regan Robinson – Stormwater.
3. Paragraph 1.7 of the report states that at the time of publishing the report, no pre-hearing meetings had been held. Since the release of the report, a meeting was held on 18 June 2019 between Hamilton City Council (Alice Morris, Laura Galt) and the submitters relating to the topic of stormwater – the Church of Jesus Christ of Latter-Day Saints Trust Board (Chris Dawson) and Fay and Mark Bell. At the meeting, the recommendations in the 42a report relating to the Bells' submission points were discussed (see Appendix A of the s42a report, pages 12 and 13).

Background

4. Temple View is located on the western side of Hamilton. Plan Change 3 relates to the 14ha shown on the map on page 3 of the report (and on the PowerPoint). A full description of the background is addressed in paragraphs 2.3 to 2.11 of the report. I would like to note one unintentional error in paragraph 2.6; by omission, the report does not describe the adjoining properties on the northern boundary of the site which are also rural and an operational farm (the Bells' property).

The Plan Change

5. The purpose of Plan Change 3 – Temple View Boundary Alteration (Plan Change) is to address the following issues:
 - The Council's obligation under section 81 of the RMA to amend the Hamilton City District Plan to include the 14ha that came under Hamilton City Council's jurisdiction in 2014.
 - Removal of 'development plans' in the Temple View Zone to address the principles of the Environment Court decisions regarding the vires of such provisions in the District Plan.
 - Accurate identification of the Significant Natural Area (SNA) in Temple View.
 - Amendment of Natural Open Space Zoning to reflect the SNA boundaries.
 - Inclusion of a Community Focal Point on Figure 4-5.
 - Minor editorial changes to policies and methods to ensure consistency across the District Plan.
6. In paragraph 2.19 of the report I have identified that there is an issue of submission points being 'on' the Plan Change. For your information and consideration these are included in

Appendix A of the s42a report as submission points 02.01 (page 14), 04.03 (page 6), 04.15 and 04.17 (page 10).

Submissions and Recommendations

Opposition to rezoning

7. Crystal Mann opposes the rezoning of Precinct 3. The key purpose of the Plan Change is to consider the 14ha of land that came under Hamilton City Council's jurisdiction in 2014. When the boundary alteration occurred, it was understood that this land would be urbanised, and this aligns with the Waikato Regional Policy Statement and the District Plan Strategic Framework. The Plan Change has determined that the most appropriate zoning is the Temple View Zone, which will allow for integration with the existing Temple View development. I still consider the Temple View Zoning is the most appropriate zoning for the area.

David O McKay Building and Privacy Wall/Covered Walkway

8. The Church of Jesus Christ of Latter-Day Saints Trust Board (the Church) sought the removal of reference to the David O McKay Building and the Privacy Wall/Covered Walkway from the District Plan. These structures were demolished in 2018 and referencing structures that no longer physically exist is anomalous. It is recommended that these structures and associated rules are removed from Figure 4-5, Chapter 5, Appendix 8a, and Appendix 1. The removal of these structures is discussed on pages 2, 4 and 12 of Appendix A of the report.

Design Guide

9. The Church has sought several amendments to the Design Guide. These are addressed in Appendix A on pages 8 – 10 and the recommendations are on page 11.

Transport

10. It is considered that the new rule to ensure incremental changes in the impact on transport network are managed is appropriate. However, it is noted that there are drafting errors in the proposed rule. The word 'consent' should be replaced with the word 'content' and 'Killarney' road should be replaced with 'Kahikatea' as follows:

In addition to the Broad ITA ~~consent~~ content specified in 25.14.4.3m) the assessment shall include but not be limited to, specific consideration of demand, levels of service and options for mitigation at the following intersections:

1. Tuhikaramea Rd/ SH23
2. Tuhikaramea Rd/ ~~Killarney~~ Kahikatea Rd/ Gibson St
3. Tuhikaramea Rd/ Collins Rd

11. The intersections referenced in this rule are identified on the PowerPoint.

SNA

12. The notified Plan Change updated the SNA boundary to reflect the location identified through a resource consent. The Waikato Regional Council raised the extent of the SNA in their submission. As a result, further ground work has identified a change to the boundary of the SNA adjacent to the chapel.

13. I have also noted that with the amendment of the SNA, a consequential amendment was not included in the report and should also be made to the Natural Open Space zoning on Zoning Map 60A to reflect the amended boundary of the SNA.

Stormwater

14. The Council's stormwater expert, Mr Regan Robinson, Civil and Water Resource Engineer from Tonkin and Taylor Limited, has reviewed the Bells' submission. I have relied on his expert advice in preparing the response in the report.
15. To address this environmental issue, a new provision is proposed to ensure that future development has a neutral impact on the hydraulic capacity and ground water levels on the surrounding agricultural land within Waipa District that abuts the Temple View zone as a consequence of the urbanisation of the land.
16. However, it is noted that a drafting error has occurred, and the provision should include the words 'flood levels' in line with Mr Robinson's advice.
 - c) *Any development of Precinct 3 in the Temple View zone shall be designed to achieve a neutral impact on the hydraulic capacity, flood levels and ground water levels of the surrounding agricultural land within Waipa District, adjoining the northern boundary of Precinct 3.*
17. This proposed provision, including the amended wording, was discussed at the meeting on 18 June 2019 with the Bells and the Church; both parties supported the proposed provision.

Reverse Sensitivity

18. The proposed rezoning of the 14ha from rural to urban will alter the land uses anticipated in the area. The issue of reverse sensitivity may potentially arise between urban uses and the existing farming activities. It is anticipated that these matters are already provided for in the District Plan and would be addressed at the resource consent stage of the development of Precinct 3.

Editorial amendments

19. A printing error occurred with the Features Map 60B and an amended map is attached to this evidence.

Attachments:

Corrected text of Recommended new rules
Zoning Map 60A
Features Map 60B

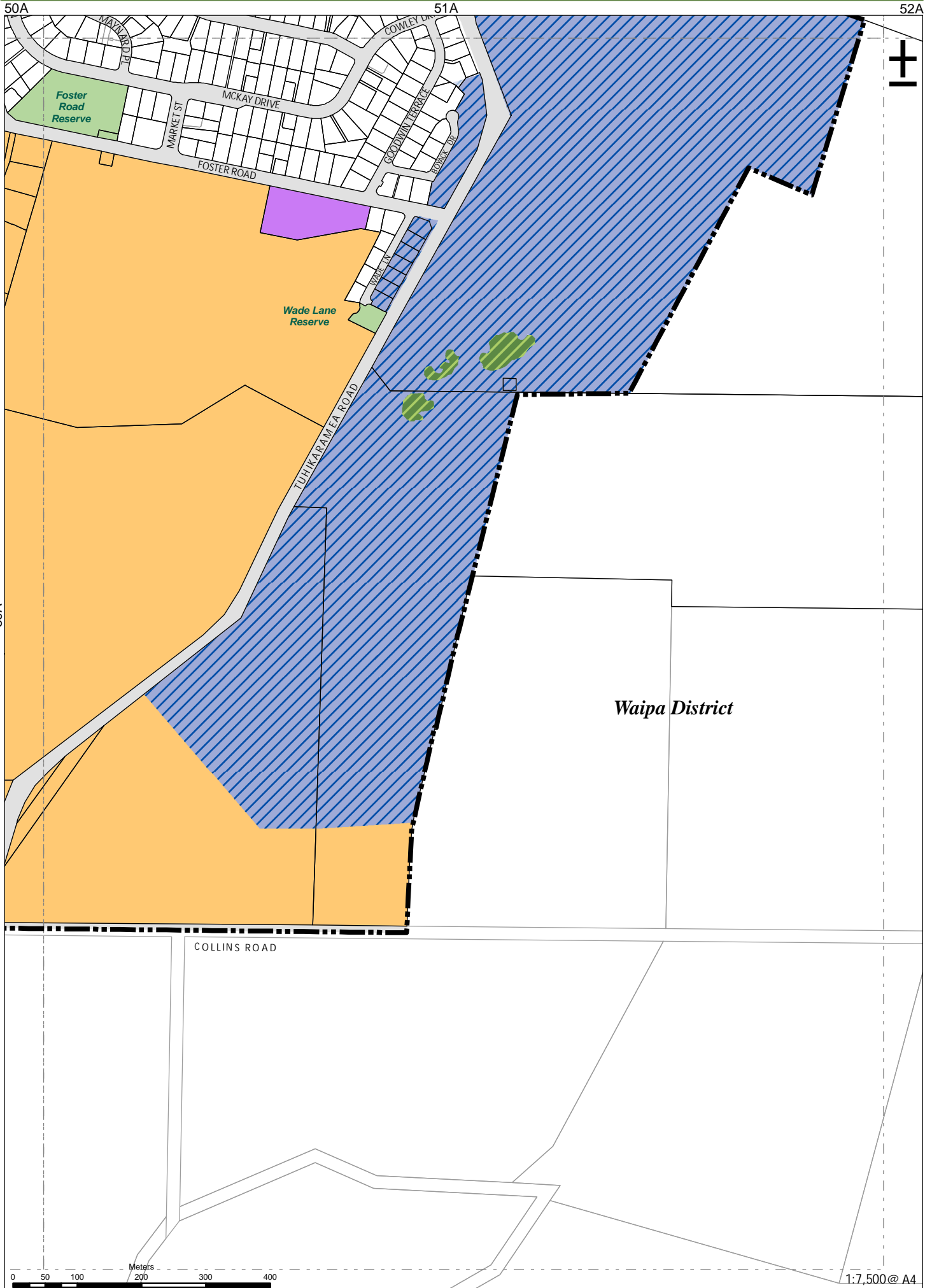
Amendment to new Rule 5.4.3.1 c)

Any development of Precinct 3 in the Temple View zone shall be designed to achieve a neutral impact on the hydraulic capacity, flood levels and ground water levels of the surrounding agricultural land within Waipa District, adjoining the northern boundary of Precinct 3.

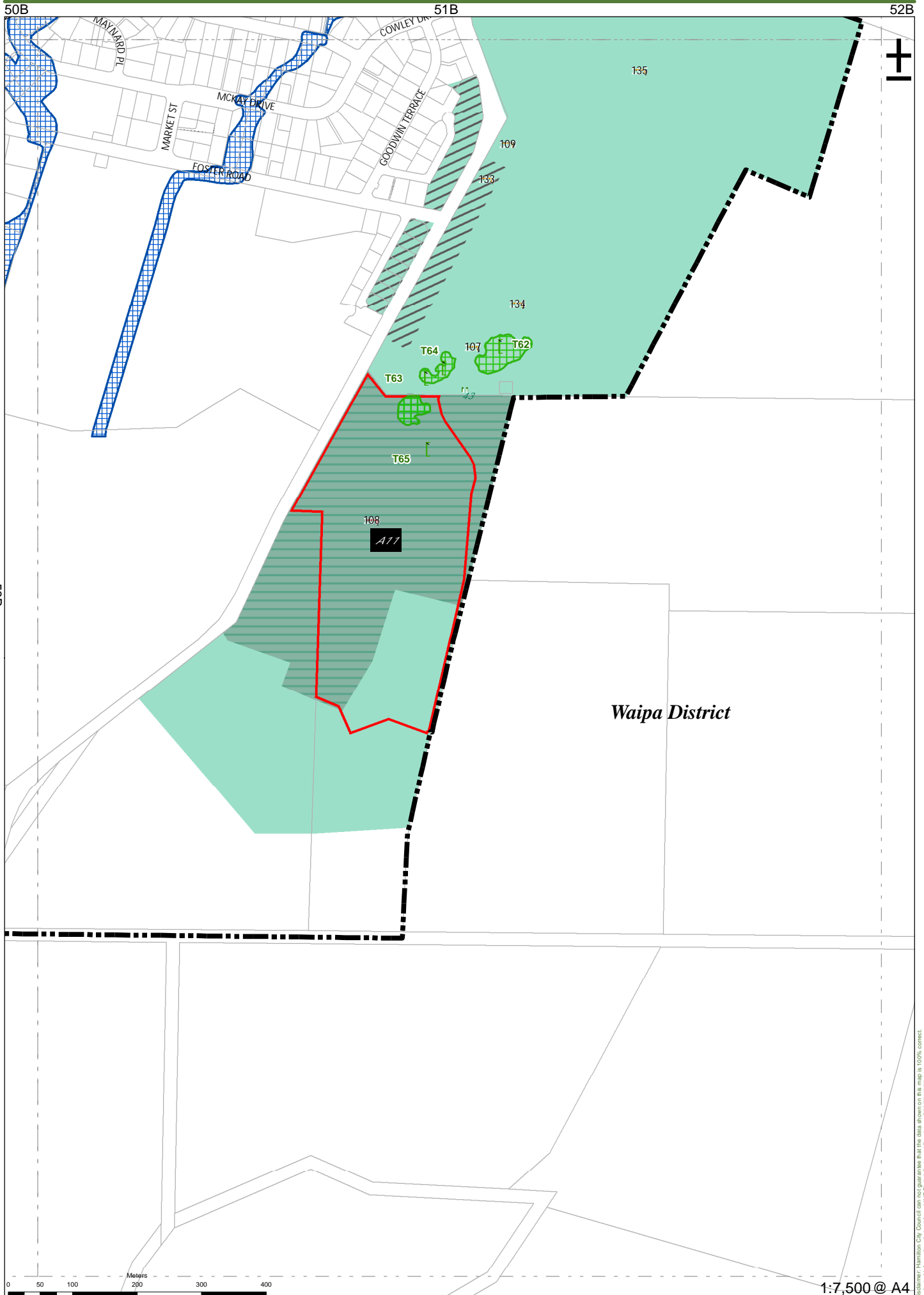
Amendment to Rule 25.14.4.3e)iii)

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