

**Submission on Private Plan Change 7 Rotokauri North to the
Hamilton City District Plan**

To: Plan Change 7 Submissions
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Name of submitter:

PHILIP ROSS LABD ("the submitter")

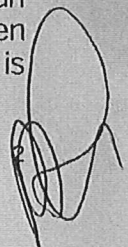
Introduction:

1. This is a submission on Private Plan Change 7 Rotokauri North ("PPC 7") to the operative Hamilton City Council Operative District Plan ("HCDP") made by Green Seed Consultants Limited ("GSCL")
2. The submitter could not gain an advantage in trade competition through this submission.
3. The submitter has an interest in the PPC 7 as a whole, and as such this submission relates to the PPC 7 in its entirety.
4. The submitter is a landowner within the Rotokauri North PPC area.
5. The submitter supports PPC 7 in its entirety and seeks that it be approved as proposed.

Reasons for submission:

6. In summary, the submitter supports PPC 7 being approved in its current form on the basis that the PPC:
 - (a) Will promote sustainable management of resources, achieve the purpose of the RMA and is not contrary to Part 2 and other provisions of the Resource Management Act 1991 ("RMA").
 - (b) Will enable the social, economic and cultural well-being of the community in the Waikato region.
 - (c) Will meet the reasonably foreseeable needs of future generations.
 - (d) Appropriately gives effect or has regard to all applicable higher order planning instruments and is not inconsistent with any directive policies or constraints from such higher order planning instruments. Specifically, the PPC aligns with:

- (i) The National Policy Statement Urban Development Capacity and the Waikato Regional Policy Statement ("RPS") through the provision of housing aligned with the necessary infrastructure.
 - (ii) Although 'out of sequence' for development of future urban zoned greenfield land, the PPC ensures that adequate provision for infrastructure is made to service development ensuring that the PPC aligns with the RPS, Future Proof, The Waikato Plan and Hamilton Urban Growth documents.
 - (iii) The objectives of the Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) have been taken into account in the preparation of the Sub-Catchment Integrated Management Plan for the management of three waters and their potential for effects to undermine the health and wellbeing of the Waikato River.
- (e) Accords with and will assist the Council to in carrying out its functions under the RMA, having regard to the efficiency and effectiveness of the PPC 7 provisions relative to other means.
- (f) The applicant has undertaken ongoing consultation (and been an active participant at meetings with) the Rotokauri North Tangata Whenua Working Group which is made up of mandated representatives from each of the Waikato-Tainui hapuu within the vicinity of the project, they being: Ngaati Mahanga, Ngaati Hauaa, Ngaati Tamaunapo, Ngaati Wairere, Ngaati Reko - Walkeri Marae and Te Uri o Mahanga. The ongoing relationship has resulted in the preparation of a Cultural Values Assessment which identifies 5 key area and associated principles for issues relating to the management of natural and physical resources.
7. In addition to achieving a consistent planning framework, the submitter considers that applying proposed PPC 7 provisions to the land, rather than the HCDP default zone provisions, as proposed by the PPC is appropriate for the following reasons:
- (a) The PPC includes specific planning provisions to require 'affordable housing' for first home buyers;
 - (b) The PPC is based on a Structure Plan which identifies key elements (e.g. road hierarchy and location) to be implemented through appropriate planning provisions
 - (c) Requirements for concept plans/land development plans or masterplans to be provided have been avoided (as the submitter considers these to be an 'ultra vires' planning tool as determined by recent caselaw);
 - (d) The PPC provisions have been specifically developed to ensure they result in an exceptional community outcome, particularly in terms of urban design, which is far superior to what could be achieved using the DP's default zone provisions and is more consistent with the developer's vision and objectives for Rotokauri North. The result is an integrated package of provisions that specifically responds to the conditions in the Rotokauri North development area and achieves an appropriate balance between design, amenity, development, Council and cultural priorities. It is



demonstrably more appropriate to apply this planning framework to the PPC 7 land rather than use the HCDP's default (and generic) zone provisions.

Summary

8. For the above reasons, overall the submitter supports PPC 7 being approved in its current form.

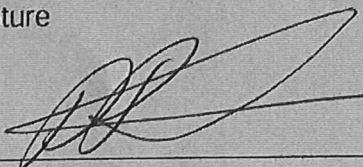
Relief sought:

9. The submitter seeks that PPC 7 be approved as proposed.
10. For the avoidance of doubt, the submitter supports and seeks the retention of:
- (a) The extent of the notified Medium Density Residential Zone and the Business 6 Zone.
 - (b) The notified Rotokauri North Structure Plan.
 - (c) The PPC 7 specific provisions, including its integrated subdivision, urban design, bulk and location rules package, and including requirements for affordable housing.
11. The submitter does not support any changes being made to the PPC 7, except where those changes are agreed to and supported by the PPC 7 applicant GSCL.

Hearing:

12. The submitter wishes to be heard in support of its submission.
13. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.

Signature



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Title MR

Date 19-03-20

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