

IN THE MATTER of the Resource Management Act 1991 ("RMA" or "the Act")

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **KIRRIEMUIR TRUSTEE LIMITED** pursuant to Clause 6 of Schedule 1 of the Act

STATEMENT OF EVIDENCE OF JONATHAN BROEKHUYSEN ON BEHALF OF KIRRIEMUIR TRUSTEE LIMITED

(URBAN DESIGN)

1. INTRODUCTION

Qualifications and experience

- 1.1 My name is Jonathan Paul Broekhuysen. I am a New Zealand Institute of Landscape Architects (NZILA) Registered Landscape Architect and Director at Adapt Studio Limited (Adapt Studio), a firm I started as a sole practitioner in May 2017.
- 1.2 I have a Bachelor of Design degree (with Honours) majoring in Landscape Architecture from Victoria University of Wellington (2005). I have 15 years' experience working as a consulting landscape architect and urban designer.
- 1.3 Adapt Studio specialises in providing urban design and masterplanning input into large-scale development projects. Prior to my current role, I worked for nine years (March 2006 to May 2017) at Boffa Miskell Limited as a landscape architect as part of their Urban Design Team, reaching the level of Principal within the company. During that time, I also worked overseas for a Dutch company, Van der Tol in garden design and maintenance.
- 1.4 I have been involved in several large-scale structure planning / masterplanning / rezoning projects in and around the Auckland / Waikato Region, including the Ruakura Structure Plan in Hamilton, the Greenhill Park Masterplan in Hamilton, the Te Awa Lakes Plan Change (Private Plan Change 2, "PPC2") in Hamilton, the Sleepyhead Estate Zone Change in Ohinewai, the

Ōrākei Papakāinga Masterplan in Auckland, the Rangitahi Peninsula Masterplan in Raglan and the Te Kowhai Airpark Rezoning in Te Kowhai.

Involvement in project

- 1.5 I was engaged by Kirrimuir Trustee Limited (KTL) in October 2020 as the project urban designer tasked with developing the Structure Plan (attached as Attachment A).
- 1.6 I last visited the site on 06 October 2020 accompanied by KTL representative Ken Whyte, project lead planner from Bloxam Burnett & Olliver (BBO), John Olliver and air quality specialist Andrew Curtis from Pattle Delamore Partners Ltd.

Purpose and scope of evidence

- 1.7 The purpose of my evidence is to provide an overview of the urban design aspects of the requested rezoning of the lands to the west of Geraghty's Road in Tuakau as identified on the Structure Plan (attached as Attachment A, the Site).
- 1.8 Specifically, my evidence will:
 - (a) Give a brief overview of the site's context (Section 3).
 - (b) Give an overview of the proposed Structure Plan (Section 4).
 - (c) Provide an overview of the relevant planning framework and an assessment against the New Zealand Urban Design Protocol (Section 5).
 - (d) Comment on the Council Officer's s42A Report (Section 6).
 - (e) Provide a brief conclusion (Section 7).
- 1.9 A summary of my evidence is contained in Section 2.
- 1.10 In the course of preparing my evidence, I have had regard to the following documents and drawings:
 - (a) Waikato District Plan notified Version Chapter 16: Residential Zones and planning maps.
 - (b) Waikato District Council Section 42A Report – Hearing 25 Zone Extents, Framework Report dated 19 January 2021.

1.11 My evidence should be read together with the evidence of:

- (a) John Olliver of BBO
- (b) Siva Balachandran of BBO
- (c) Ajay Desai and Ben Pain of Woods Limited
- (d) Andrew Curtis of Pattle Delamore Partners

Expert Witness Code of Conduct

1.12 I have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Consolidated Practice Note (2014) and I agree to comply with it. I can confirm that the issues addressed in this statement are within my area of expertise and that in preparing my evidence I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. SUMMARY OF EVIDENCE

2.1 It is my opinion that the rezoning of the site, as sought in the rezoning submission, will result in a positive outcome for Tuakau. The location of the site, immediately to the south of the existing Tuakau settlement, and adjoining proposed residential land in the PWDP, means that the future homes would be well connected to the existing town and future residential areas.

2.2 The proposed structure plan is consistent with the principles contained within the Tuakau Structure Plan and has been designed to build on the concepts contained within the plan.

2.3 The proposal receives a positive assessment against the New Zealand Urban Design Protocol as outlined in paragraphs 5.4 – 5.18.

2.4 There are no issues raised in the Section 42a Framework report relating to my area of expertise which cause concern. The report does raise the fact that there is a shortfall in residential land which can be addressed by rezoning land in rural environments to urban uses where they are located around existing towns and villages identified in the WRPS and Future Proof Strategy Planning for Growth 2017. The proposal is such a site.

3. **SITE CONTEXT**

- 3.1 The site is located in Tuakau, a small rural service town located in the north Waikato immediately north of the Waikato River and approximately 4km south of Auckland territorial border. The population of Tuakau at the 2018 census was 5,013, an increase of 741 people (17%) since the 2013 census, and an increase of 1,404 people (39%) since the 2006 census.
- 3.2 Tuakau is approximately 10km by car south of Pukekohe and approximately 8km by car to the west of Pokeno. The site is approximately 30km south of Papakura in south Auckland.
- 3.3 The site is at the southern end of Tuakau and approximately 1.2km from the Tuakau main street / shops. The site is on the western side of Geraghty's Road and consists of 6 separate titles and is approximately 38 hectares in size.
- 3.4 The site has a collection of homes on lifestyle sized sections accessed off Geraghty's Road, a collection of greenhouse buildings and multiple farm related sheds and outbuildings. There is a prominent gully running from north to south cutting across the site which has two sizeable water bodies formed by culverts at two gully crossing locations. There is an existing old growth swamp to the western side of the site, below a steep escarpment, which is partly covenanted and protected.
- 3.5 The site has a gentle rolling topography, with the exception of the incised central gully and steep bank along the southern boundary. The gully and old growth swamp areas are heavily vegetated; however the balance of land is divided into paddocks and used for a variety of agricultural and horticultural purposes.
- 3.6 To the south of the site is the Kairoa Stream. Approximately 400m from the southern tip of the site is the Envirofert facility which produces compost products.

4. **PROPOSED GERAGHTYS ROAD STRUCTURE PLAN**

- 4.1 The proposed Structure Plan sets up a framework for residential development of the site and to illustrate the potential development pattern. It has been developed with consideration of the existing Tuakau Structure Plan (2014).
- 4.2 The proposed Structure Plan facilitates a potential yield of approximately 425 homes on the basis of approximately 21 hectares of net developable land

being facilitated and assuming compliance with the minimum allowable lot size under the requested zone of 450m2.

- 4.3 The Structure Plan excludes the central gully and existing old growth swamp from residential development by allocated them to an open space overlay. The central gully creates two separated residential areas, one on the eastern side of the site fronting onto Geraghty's Road, and one in the north western end of the site backing onto the old growth swamp. These two residential areas have a combined gross area of approximately 30 hectares.
- 4.4 A simple, connected road network provides for two access locations onto Geraghty's Road to the east and provides a future connection to the north. This connects to a road alignment which is shown in the Tuakau Structure Plan (2014) document. The connections to the north facilitate improved connection to the existing Tuakau Primary School and College and to the existing Tuakau main street.
- 4.5 A north south walking / cycling path has been included along the gully system which connects to a walking / cycling track to the north which is shown in the Tuakau Structure Plan (2014). This walking and cycle connection to the north would facilitate good walking and cycling connectivity to the existing Tuakau Primary School and College and existing Tuakau main street.
- 4.6 A minimum 3m wide band of screen planting has been proposed along the southern boundary to create a visual barrier from the existing rural land to the south.
- 4.7 The proposed structure plan is consistent with the Tuakau Structure Plan and has been designed to build on the concepts which are contained within the plan.

5. **RELEVANT PLANNING FRAMEWORK**

- 5.1 John Olliver addresses consistency with the National Policy Statement on Urban Development (NZP – UD), the Waikato Regional Policy Statement (WRPS) and Future Proof in his evidence.
- 5.2 The site is located directly to the south (and adjoining) of land proposed to be rezoned from rural to residential in the Proposed Waikato District Plan (PWDP). I consider the extension of the already proposed residential land to the south of Tuakau and towards the Waikato River as an appropriate move. The river and the escarpment forms a defendable boundary to development to the south of Tuakau. Based on the evidence of Mr Curtis that there is

adequate separation from the rural industries to the south, I consider this site a good location for additional residential zoned land.

- 5.3 The proposed structure plan is consistent with the Tuakau Structure Plan and has been designed to build on the concepts contained within the plan.
- 5.4 The WDC is a signatory to the New Zealand Urban Design Protocol (NZUDP) which looks to guide good urban design outcomes at all scales of development in New Zealand. The various design guidance documents within the PWDP rely heavily on the seven "C's" as contained within the NZUDP and as such the below assessment against these seven "C's" ensures applicability to the multiple guideline and assessment documents.

Context

- 5.5 The NZUDP defines context as the way buildings, places and spaces are considered not as isolated elements but as part of the whole town or city. It seeks to ensure that proposals consider their context and how they relate to the environment around them.
- 5.6 The proposal to rezone the 38 hectares of rural land to residential is in keeping with the context of Tuakau. It would see a logical and legible extension of the settlement to the south and extend land which is already proposed as residential in the PWDP. The site is in close proximity to the existing town centre of Tuakau and close to the amenities of the existing town including a primary school and a college. The site is contextually an appropriate location for additional residentially zoned land.

Character

- 5.7 The NZUDP defines "character" as the way a proposal reflects and enhances the distinctive character and culture of the urban environment, and recognises that character is dynamic and evolving, not static. It ensures new buildings and spaces are unique, are appropriate to their location and complement their historic identity, adding value to our towns and cities by increasing tourism, investment and community pride.
- 5.8 The structure plan has been designed to be sympathetic to the existing character of the site, retaining the existing gully and creating two separate neighbourhoods of residential development. The rezoning would build on the existing residential character of the land to the east and the proposed residential zoned land to the north in the PWDP.

Choice

- 5.9 The NZUDP defines "choice" as the way a proposal fosters diversity and offers people choice in the urban form of our towns and cities, and choice in densities, building types, transport options, and activities.
- 5.10 The proposal is for a singular residential zone as per the PWDP zoning categories. Additional variation into housing types would need to be incorporated into future masterplanning and resource consenting stages. Transport options have been integrated into the Structure Plan with a combination of roads and walking / cycling paths.

Connections

- 5.11 The NZUDP defines "quality connections" as the way that connections enhance choice, support social cohesion, make places lively and safe, and facilitate contact among people. Quality urban design recognises how all networks - streets, railways, walking and cycling routes, services, infrastructure, and communication networks - connect and support healthy neighbourhoods, towns and cities.
- 5.12 The structure plan has proposed a well-connected primary road network and walking and cycling path which connects both into the proposed networks as outlined in the Tuakau Structure Plan (2014) and the existing road network.

Creativity

- 5.13 The NZUDP defines "creativity" as the way a proposal encourages creative and innovative approaches. Creativity adds richness and diversity and turns a functional place into a memorable place. Creativity facilitates new ways of thinking, and willingness to think through problems afresh, to experiment and rewrite rules, to harness new technology, and to visualise new futures.
- 5.14 While there is limited opportunity for creativity at this rezoning juncture, the layout as outlined in the structure plan does set up a framework for creative solutions to the various open spaces, edge treatments and residential areas as the project development phases progress.

Custodianship

- 5.15 The NZUDP defines "custodianship" as the way a proposal reduces the environmental impacts of our towns and cities through environmentally sustainable and responsive design solutions.

- 5.16 The existing gully and old growth swamp have been avoided in terms of residential development on the structure plan. The existing gully crossing location has been used to minimise any unnecessary disturbance on the gully ecosystem when this crossing is upgraded if development were to occur.

Collaboration

- 5.17 The NZUDP defines “collaboration” as the way towns and cities are designed incrementally as we make decisions on individual projects. Quality urban design requires good communication and co-ordinated actions from all decision-makers.
- 5.18 The rezoning of the site is in line with the clear intent of the PWDP to create more residential zoned land to the west of the existing Tuakau settlement, and takes into account the Tuakau Structure Plan (2014).

6. SECTION 42A REPORT

- 6.1 Paragraph 7.1) outlines that a shortfall in residential land can be addressed by rezoning land in rural environments to urban uses where they are located around existing towns and villages identified in the WRPS and Future Proof Strategy Planning for Growth 2017.
- 6.2 While a full assessment of the WRPS and Future Proof is included in Mr Olliver’s evidence, from a purely urban design perspective, the rezoning of the site to residential will form an appropriate continuation of the Tuakau settlement to the southwest and connect to the already proposed land to be rezoned from rural to residential.

7. CONCLUSION

- 7.1 In conclusion, it is my opinion that the rezoning of the site, as sought in the rezoning submission, will result in a positive outcome for Tuakau. The additional residential land will help to meet a shortfall in residential zoned land in the region. The location of the site, immediately to the southwest of the existing Tuakau settlement, and adjoining proposed residential land in the PWDP, means that the future homes would be well connected to the existing town and existing and future residential areas.
- 7.2 The site can be well connected to roading, walking and cycling networks and is well served by nearby schools and the Tuakau Main Street shops. Tuakau is clearly facing growing pressures, and the extension of residential land use to the south, and towards the river is, in my opinion a positive and appropriate move. I do note the potential conflict between some existing

industrial uses along the river and notes that some odour effects will need to be managed, but are acceptable as set out in Mr Curtis' evidence. It is my opinion that these more commercial uses should not be located along the river and any long-term planning should try to replace them with more compatible land uses such as residential use, community buildings or open space.

JONATHAN BROEKHUYSEN

12 FEBRUARY 2021

ATTACHMENT A.

Geraghtys Road Structure Plan prepared by Adapt Studio Ltd, dated 11 February 2020, revision B.