

Proposed Te Tai o Poutini Plan
Residential and Special Purpose Zones Hearing
Further Evidence of Pauline Hadfield
On behalf of Ball Developments Ltd (S453)
and Davis Ogilvie & Partners Ltd (S465)
17 July 2024

Introduction

1. The following evidence is in response to the Commissioners' comments regarding the scope of the zoning changes sought in Ball Developments' evidence heard yesterday, 16 July. Thank you for the opportunity to re-visit the zoning for Kaiata Park.
2. Attached to this evidence for ease of reference is:
 - a. A new Outline Development Plan (ODP) version 350E
 - b. The ODP 350A, as submitted in November 2022
 - c. The as-notified planning map
 - d. The latest concept plan for Kaiata Park, Ref 41473 C101 Rev P3 dated 13 June 2024
 - e. An approved copy of LT 594276, being subdivision SD3025/22 at Hinau Crescent.

Scope of Evidence

3. My written evidence at this hearing was presented on the assumption that the scope of Submission 453 was the Outline Development Plan for Kaiata Park as a whole. The submission was lodged in November 2022; since that time, Ball Developments have continued to work on the overall design of the Kaiata Park development.
4. Paragraphs 2 and 3 of the submission stated that Ball Developments' intention was to align the final zoning under the Te Tai o Poutini Plan with the latest concept plans for development of the site. My evidence, including the Outline Development Plan (350D) was submitted in good faith that that approach would be acceptable.
5. I accept Commissioner McGarry's comments that the Hearings Panel are limited to the scope of the rezonings requested in the original submission and cannot consider significant zoning changes that were not previously sought. Accordingly, the Outline Development Plan has been amended again to better fit with this narrower scope, more closely linked to Ball Developments' submission. Version 350E is attached to this evidence.
6. Outline Development Plans 350C and 350D, provided with my letter of 3 May and with written evidence respectively, should be disregarded. I accept that some of the changes between the submission plan, version 350A, and these plans are beyond the scope described by Commissioner McGarry yesterday.

7. Changes between the submission plan 350A and version 350E attached today are generally limited to:
 - a. Areas for which a change to the zoning was sought in Ball Developments' submission, which will result in less intensive development than sought on Plan 350A; or
 - b. Minor amendments that relate to boundary clarification on the latest Concept Plan but that are in line with the changes requested on Plan 350A.
8. My evidence today will speak to the submission and will discuss subsequent changes between plans 350A and 350E.

Roading Layout

9. The roading layout at Kaiata Park has been amended from the original Outline Development Plan in the operative Grey District Plan and the notified planning maps. Kaiata Park Drive now extends around the eastern side of the wastewater pond, creating a larger main loop road through Kaiata Park.
10. ODP 350A included additional internal roading. These indicative roads are still shown on ODP 350E, but have been included within the underlying zoning to simplify the plan and more closely relate to the notified planning map for Kaiata Park.

Open Space Zone

11. Five changes to the notified planning maps relating to Open Space zoning are requested.
12. Lot 508 DP 404171 (Local Purpose Reserve) adjacent to State Highway 7 and Kaiata Park Drive at the main entrance to Kaiata Park has been changed from General Rural to Open Space zone.
13. As a result of the approved subdivision SD3025/22 on Hinau Crescent, which is almost complete, the notified Open Space area has been reduced to only cover the area vested as reserve on that consent, being Lot 200 defined on LT 594276. Lot 1 on LT594276 should be zoned General Residential in accordance with the granted subdivision consent.
14. The notified area of Open Space zone area over the lake, at the northeastern corner of Kaiata Park Drive and Silver Pine Place, has been reduced to cover the lake and its margins only, as shown on the concept plan.
15. Plan 350E is consistent with the submission in respect of these three changes to Open Space zoning.
16. The area around the wastewater ponds, located within Lot 10 DP 384771, is proposed to be rezoned from General Rural to Open Space. Open Space zoning is more appropriate for this area; Objective OSRZ-O2 describes this zone as encompassing a

wide range of values including "local purposes". Furthermore, a larger area than the notified General Rural space is sought. This will ensure that a suitable buffer between the ponds and any sensitive activities is maintained.

17. The boundaries of this Open Space zone area have been more accurately defined on ODP 350E than shown on ODP 350A to reflect the up-to-date concept plan. I consider that this amendment is within the scope of the original submission as the proposed zoning and the intent is the same; that is, to provide an Open Space reserve area as a wastewater treatment buffer to protect residential amenity.
18. The notified planning map includes a wide strip of Open Space zone near the southern extent of Kaiata Park. This strip is within Lot 3 DP 384771 and adjoins its western boundary with Lots 1 and 2 DP 508311 and Lot 3 DP 494817. On Plan 350A, this wide strip was replaced with a much narrower buffer of Open Space, which extended around the north of Lot 2 DP 508311 to link with the notified Open Space area over Lot 500 DP 404171.
19. Plan 350E has reinstated a 15m wide strip of Open Space adjoining Lot 1 DP 508311 and Lot 3 DP 494817 to ensure that a buffer zone is maintained between industrial and residential land use. I believe this amendment is within scope as the change from the submission plan is reverting to zoning that was anticipated on the notified planning map. The Open Space link around to Lot 500 DP 404171 has been removed.

General Industrial to Commercial

20. Lots 6 to 9 DP 404171, located west of Sutton Road and north of Silver Pine Place, were notified as General Industrial. Plan 350E is consistent with the submission plan 350A in requesting that these sections be rezoned as Commercial.
21. I consider that commercial land use on these lots is more compatible with the proposed General Residential zoning between the small lake and Silver Pine Place, east of Sutton Road.

Mixed Use and Open Space to Residential

22. The notified plan included an area of Mixed Use zone north of Silver Pine Place, including an existing residential dwelling on Lot 1 DP 517139. Plan 350E is consistent with the submission plan 350A in requesting that this Mixed Use area be rezoned as Residential, as well as providing for additional General Residential zoning around the eastern and northeastern sides of the lake (notified as Open Space zone).
23. This area will provide for high-quality residential "lake-side" development. In my opinion General Residential zoning is the most appropriate.

Light Industrial to Commercial and General Residential

24. The notified plan showed Lots 81, 82, 64 and 65 DP 404171 (east of Sutton Road) and Lots 42 to 44 DP 404171 (east of the stormwater pond on Lot 500 DP 404171) as Light

Industrial Zone. Submission plan 350A requested that these seven existing sections be rezoned as General Residential.

25. On plan 350E, Lots 81, 82, 64 and 65 DP 404171 are shown as proposed Commercial zone. I consider this change to be within the scope of the submission as Commercial zoning is a less sensitive activity than the General Residential zoning sought in Ball Developments' submission. The amendment reverts the zoning somewhat closer to the notified level of activity on these allotments.
26. Commercial zoning with frontage onto Sutton Road is appropriate, in my opinion, and provides a buffer between the industrial land use west of Sutton Road and residential development to the east.
27. Plan 350E retains the change of zoning requested for Lots 42 to 44 DP 404171 to become General Residential. These sites are buffered from industrial activity by the stormwater pond on Lot 500 DP 404171 and a shared access along the western side of these lots. Ball Developments have also erected a fence along the boundary between Lot 500 and the right of way, providing additional mitigation for any reverse sensitivity effects.

Commercial to General Residential

28. The notified Planning Maps included a strip of Commercial zoning east of the Light Industrial zoning along Sutton Road. The area of this zone does not follow any existing title boundaries but is included within Lot 12 DP 517139.
29. Ball Developments propose that this area will be developed as General Residential land. Plan 350E is consistent with the submission plan 350A.
30. The proposed Commercial zoning over Lots 81, 82, 64, and 65 DP 404171 will provide a buffer between residential activity and General Industrial zoned land west of Sutton Road.

Lot 1 DP 508311

31. The existing dwelling at 33 Fairhall Road, on Lot 1 DP 508311, was inadvertently included in the Light Industrial zone on the submission plan 350A. This allotment is not part of Ball Developments' Kaiata Park development and no change to the notified Planning Map should have been sought.
32. Outline Development Plan 350E rectifies this error; Lot 1 DP 508311 is now included in the General Residential zone as notified.
33. However, please note that the notified strip of Open Space zoning separating Lot 1 DP 508311 from Ball Developments' land (Lot 3 DP 384771) has been deleted on both plans 350A and 350E. There is no need for any buffer between two residential areas.

Buffer Between Industrial and Residential Land Use

34. Ms Easton, in her s42A Report for the Residential Zones, notes that the notified Planning Maps included areas of Mixed Use, Commercial and Light Industrial zoning to provide physical distance between General Residential and General Industrial zoning and land use.
35. We have considered and provided for this when finalising the Outline Development Plan, and in my opinion the zoning now shown on plan 350E will ensure that adequate buffers between residential and industrial land uses are maintained.
36. General Industrial zoned land is now separated from General Residential land by either Commercial zoning (along Sutton Road) or by the existing Local Purpose Reserve on Lot 500 DP 404171. There are no boundaries where General Residential land immediately abuts General Industrial land.
37. An Open Space buffer zone has been reinstated on plan 350E to ensure that there is separation between the Light Industrial zoning at the south end of Kaiata Park and General Residential land.

Davis Ogilvie Submission

38. Evidence relating to Davis Ogilvie's submission (S465) was not discussed yesterday so I will briefly address it here now.
39. In that submission I suggested that a shape factor be included for outdoor living spaces be included in the rules for all relevant zones.
40. In her s42A report for the Residential Zones, Ms Easton considers this and, following discussion with the respective Council planning teams, has recommended that a 3m minimum dimension be added to Rules GRZ-R1 and MRZ-R1 (paragraph 41).
41. The same submission point is discussed in the s42A report for the Special Purpose Zones, with a different conclusion. In that report and in relation to the Scenic Visitor Zone, Ms Easton (paragraph 380) does not support the submission point, because no "appropriate requirement" was suggested. Presumably this report was prepared prior to the s42A for the Residential Zones.
42. It is logical that the minimum dimension be consistent across all rules and zones requiring outdoor living spaces, and therefore I suggest that the 3m minimum dimension also be adopted for Rule SVZ - R1.3.

Conclusion

43. The new zone boundaries requested and shown on the attached ODP do not necessarily follow existing title boundaries as the road layout and zoning around the proposed Open Space zones reflect the latest concept plan. Davis Ogilvie can provide accurate CAD definition of all proposed zones at Kaiata Park for inclusion in the final zoning maps upon request.

44. In conclusion, I request that the Hearings Panel:

- i. Accept the proposed zoning for Kaiata Park as shown on the updated Outline Development Plan 350E attached to my evidence; and
- ii. Adopt the 3m minimum dimension for outdoor living spaces in the Scenic Visitor Zone, consistent with the Reporting Officer's recommendation for the Residential Zones.

45. Thank you for your time today.

A handwritten signature in black ink, appearing to read 'PAULINE HADFIELD', followed by a long horizontal line that ends in an arrowhead pointing to the right.

PAULINE HADFIELD

Senior Planner

Davis Ogilvie & Partners Ltd



Title Plan - LT 594276

Survey Number LT 594276
Surveyor Reference GM 41473 Ball
Surveyor Jamie Andrew Thirkettle
Survey Firm Davis Ogilvie & Partners Ltd (Greymouth)
Surveyor Declaration I Jamie Andrew Thirkettle, being a licensed cadastral surveyor, certify that--
(a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and Cadastral Survey Rules 2021; and
(b) the survey was undertaken by me or under my personal direction.
Declared on 29 May 2024 09:21 AM

Survey Details

Dataset Description Lots 1-9, 100 & 200 being a subdivision of Lots 122, 123, 134 & 135 DP 404171
Status Approved as to Survey
Land District Westland
Submitted Date 29/05/2024

Survey Class Class A
Survey Approval Date 29/05/2024
Deposit Date

Territorial Authorities

Grey District

Comprised In

RT 433119
RT 433118
RT 433131
RT 433130

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 1 Deposited Plan 594276	Fee Simple Title	0.0837 Ha	1145493
Lot 2 Deposited Plan 594276	Fee Simple Title	0.0938 Ha	1145494
Lot 3 Deposited Plan 594276	Fee Simple Title	0.1256 Ha	1145495
Lot 4 Deposited Plan 594276	Fee Simple Title	0.0884 Ha	1145496
Lot 5 Deposited Plan 594276	Fee Simple Title	0.0856 Ha	1145497
Lot 6 Deposited Plan 594276	Fee Simple Title	0.0778 Ha	1145498
Lot 7 Deposited Plan 594276	Fee Simple Title	0.0781 Ha	1145499
Lot 8 Deposited Plan 594276	Fee Simple Title	0.0775 Ha	1145500
Lot 9 Deposited Plan 594276	Fee Simple Title	0.0773 Ha	1145501
Lot 100 Deposited Plan 594276	Fee Simple Title	0.0565 Ha	Multiple
Lot 200 Deposited Plan 594276	Vesting on Deposit for Local Purpose Reserve	0.1103 Ha	
Area A Deposited Plan 594276	Easement		
Area B Deposited Plan 594276	Easement		
Total Area		0.9546 Ha	

LT 594276 Schedule/Memorandum

Land registration district

Westland

Territorial authority

Grey District

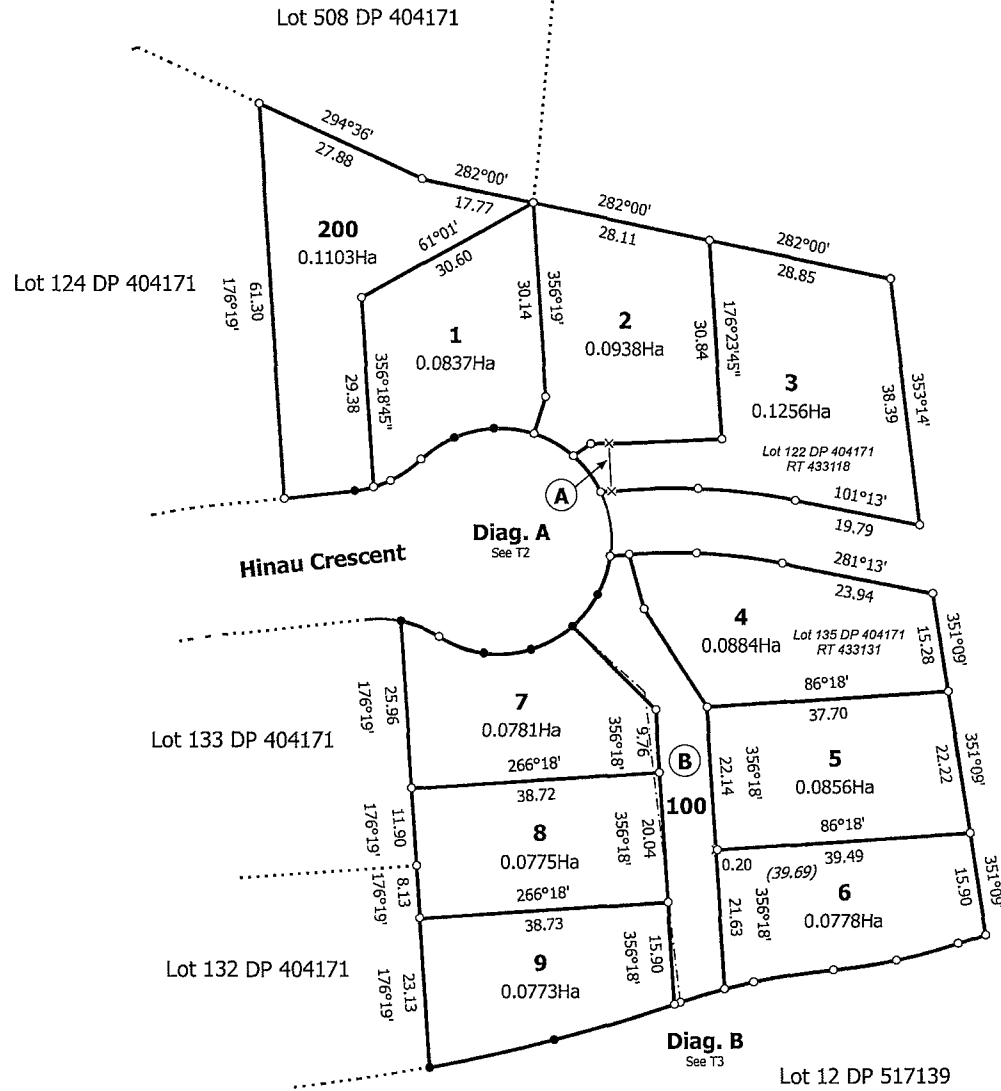
Memorandum of Easements in Gross

Parcels shown with a prefix of *HL*- include height-limited boundaries

PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to convey water	B	Lot 100	Grey District Council
Right to drain sewage, water	B	Lot 100	Grey District Council
Right to drain sewage	A	Lot 3	Grey District Council
Right to convey telecommunications	A	Lot 3	Chorus New Zealand Limited
" "	B	Lot 100	Chorus New Zealand Limited
Right to convey electricity	A	Lot 3	Westpower Limited
" "	B	Lot 100	Westpower Limited
Pedestrian Right of Way	B	Lot 100	Grey District Council

Amalgamation Conditions

That Lot 100 Plan DP 594276 (Legal Access) be held as to six undivided one-sixth shares by the owners of Lots 4, 5, 6, 7, 8 and 9 Plan DP 594276 as tenants in common in the said shares and that individual Record of Titles be issued in accordance therewith. See 1809548.



Lot 200 to vest as local purpose (access) reserve in the Grey District Council

Land District: Westland

Lots 1-9, 100 & 200 being a subdivision of Lots 122, 123, 134 & 135 DP 404171

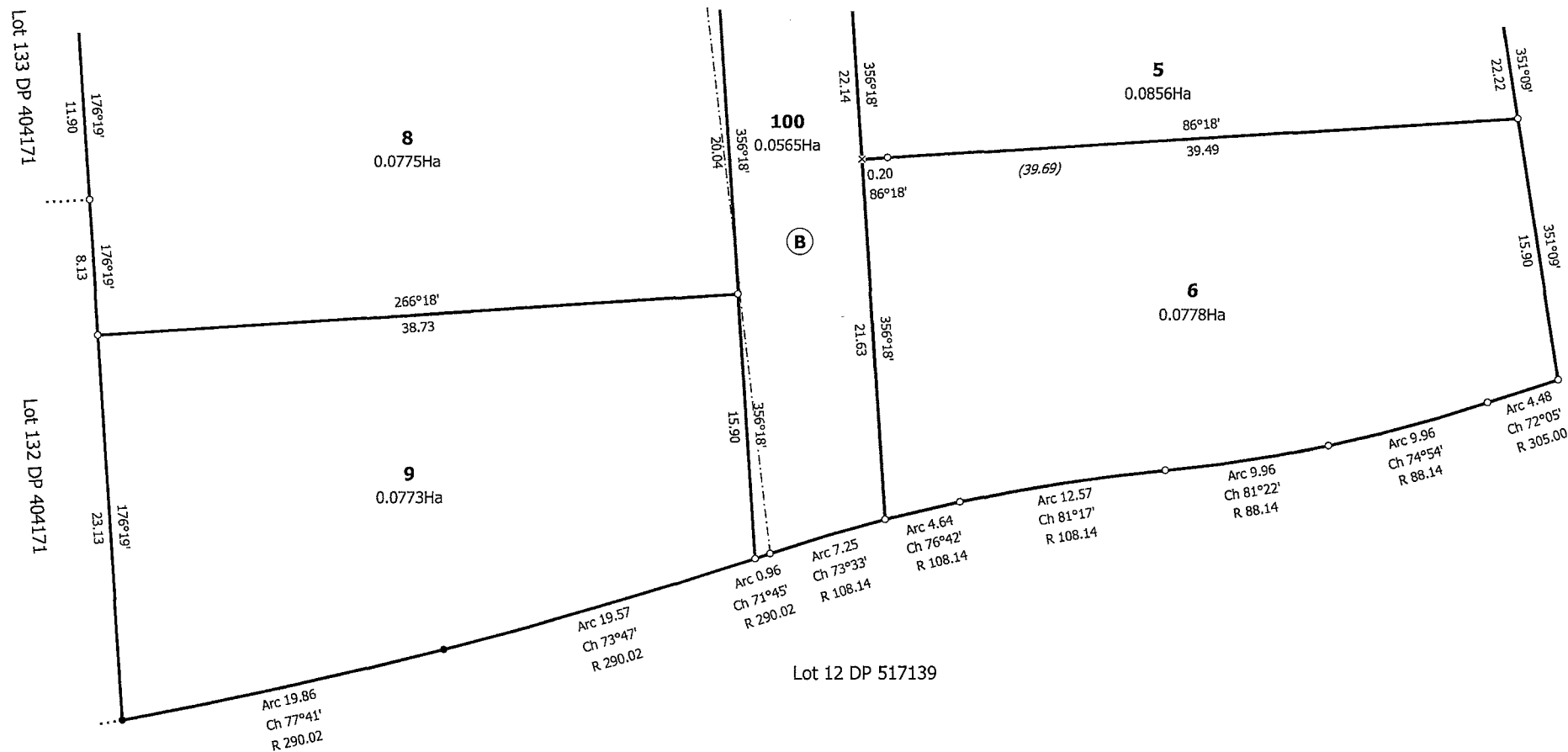
Surveyor: Jamie Andrew Thirkettle
Firm: Davis Ogilvie & Partners Ltd (Greymc)

Title Plan
LT 594276
Approved on: 29/05/2024

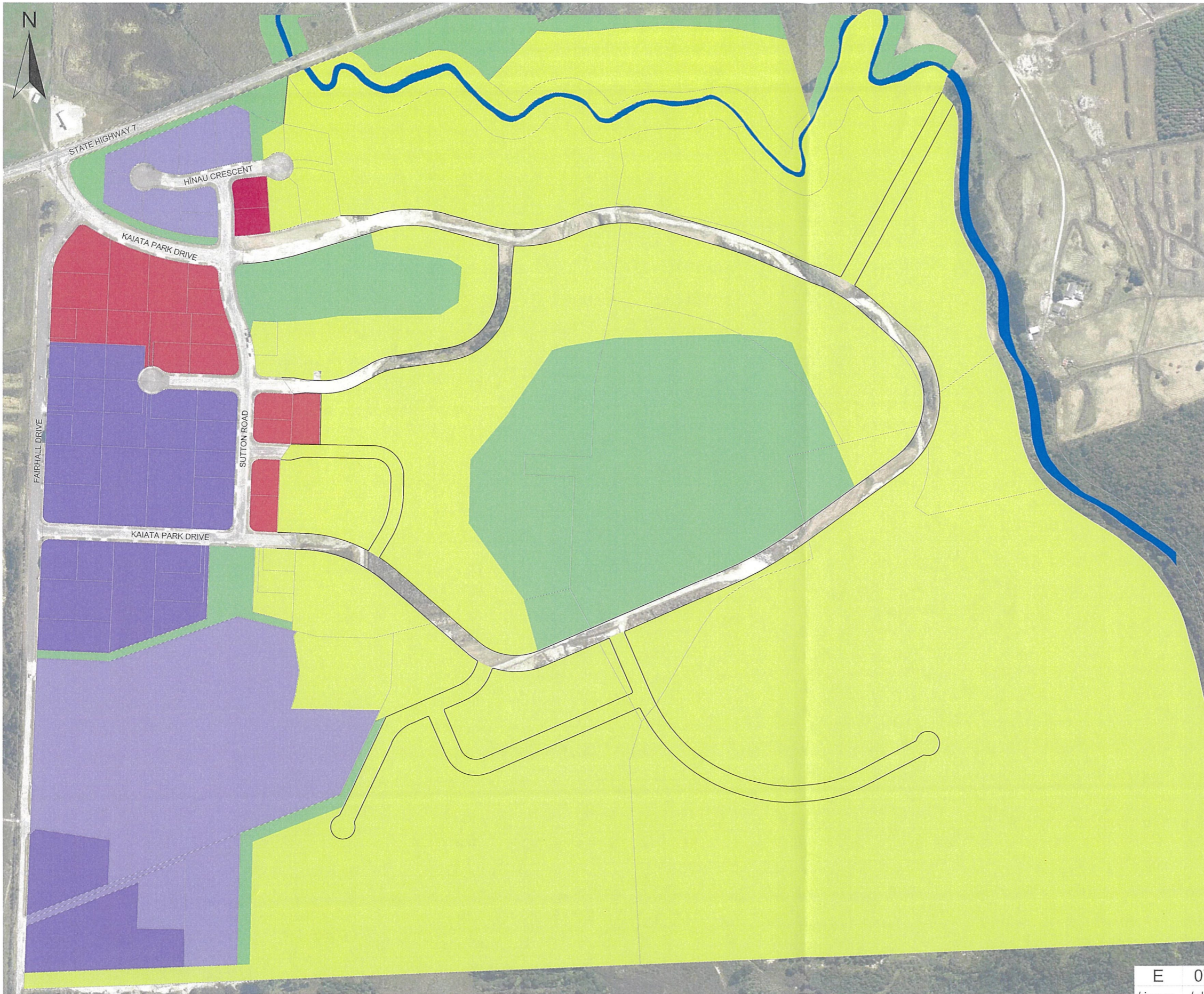


Diag. B

Distorted Diagram

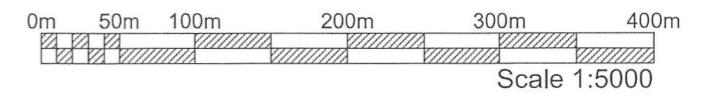






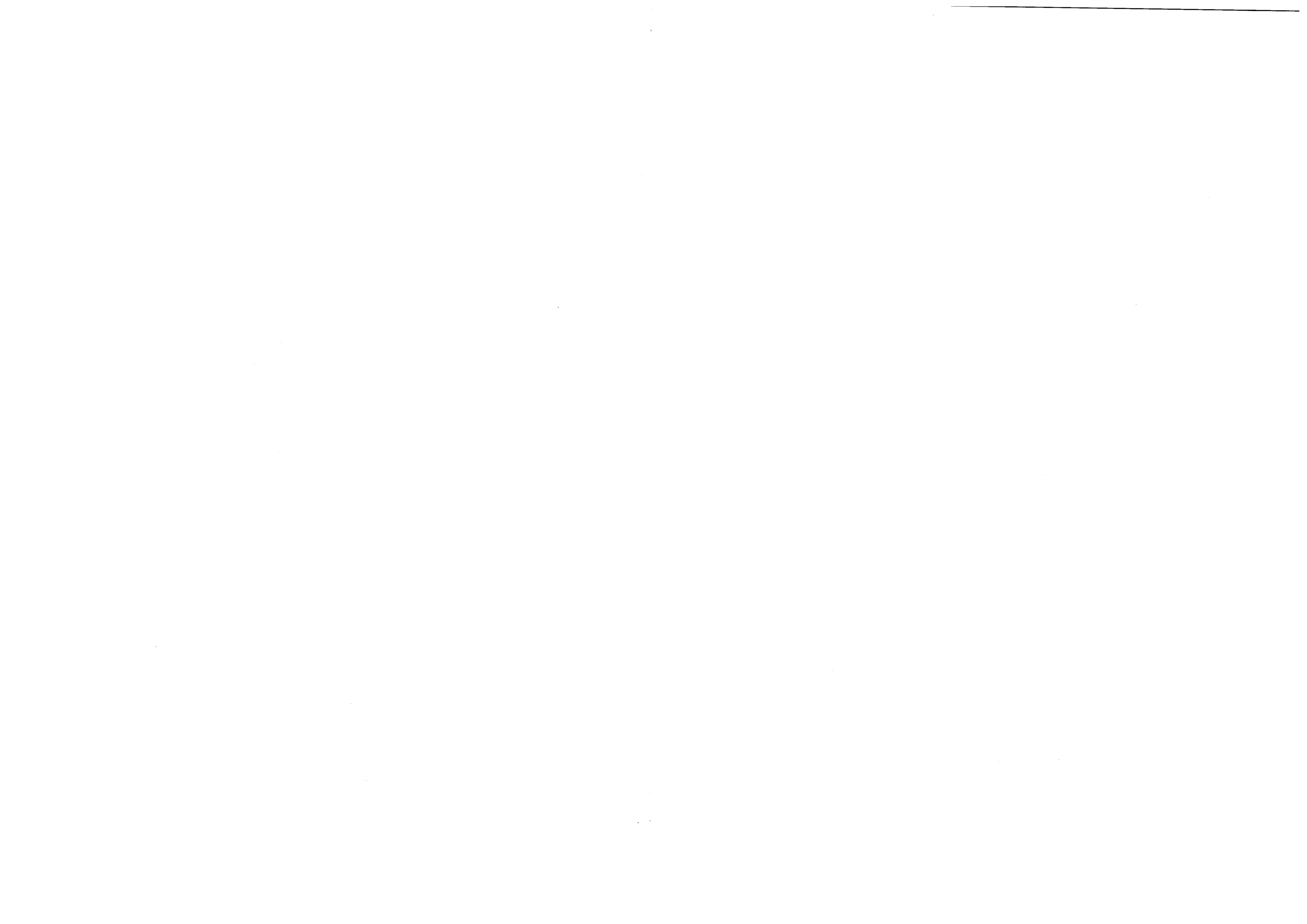
Legend:

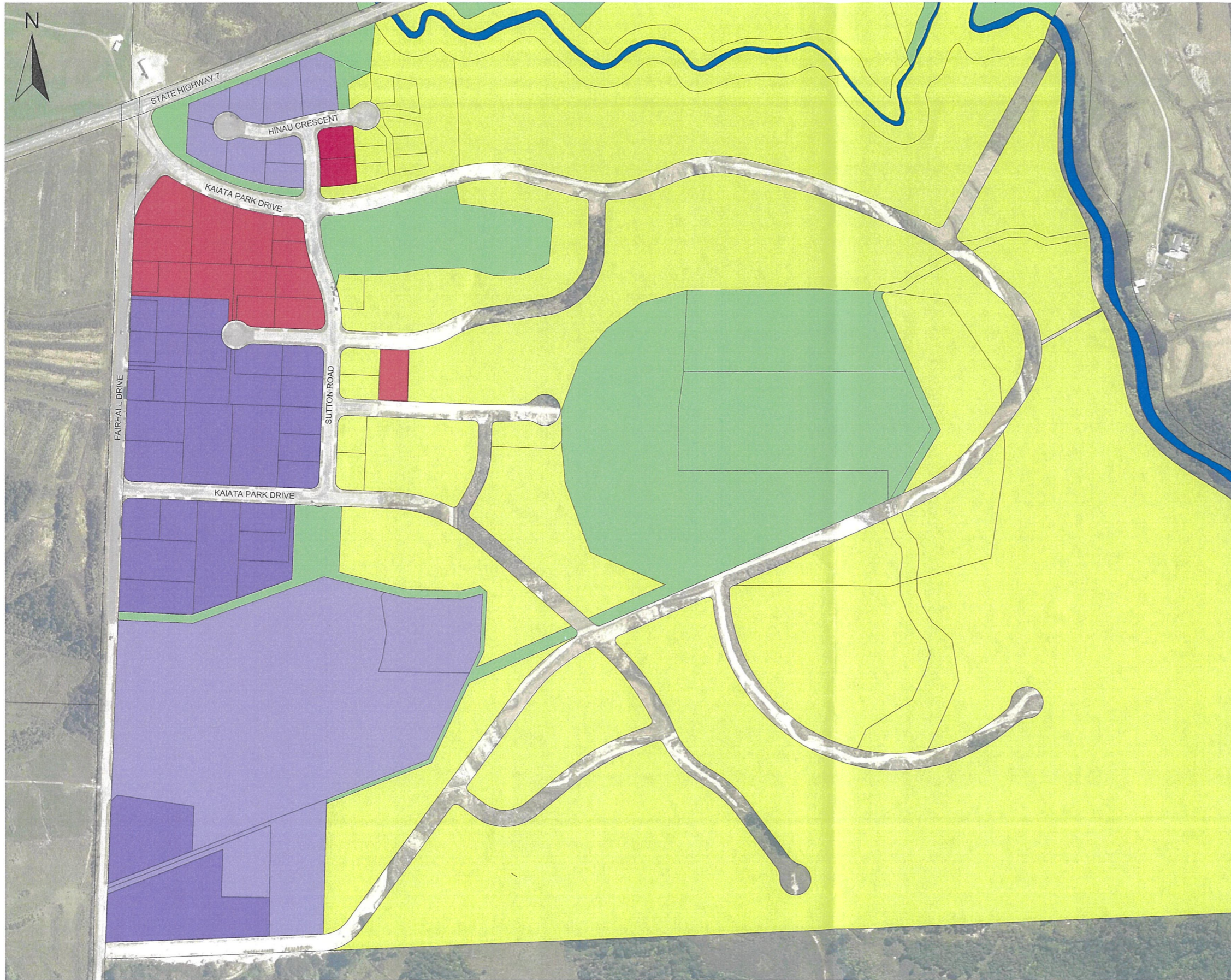
- Commercial Zone
- Mixed Used Zone
- General Residential Zone
- Light Industrial Zone
- General Industrial Zone
- Open Space Zone



E	07/24	Zoning updates	JT
/ issue	/ date	/ reason	/ approved

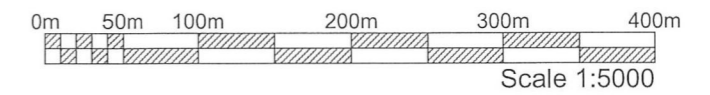
CAD ref: 41473 - ODP Overlay (350a).dwg





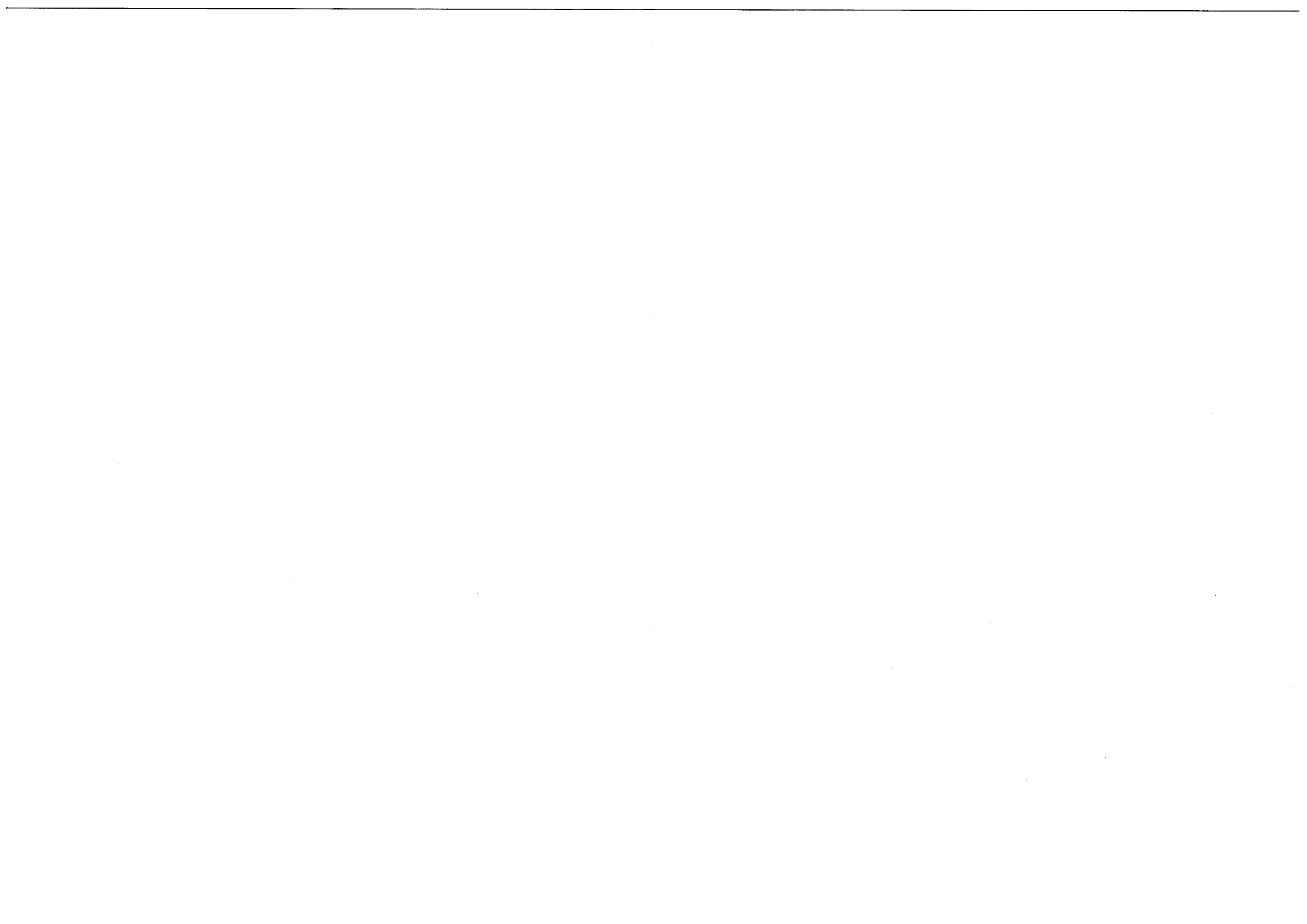
Legend:

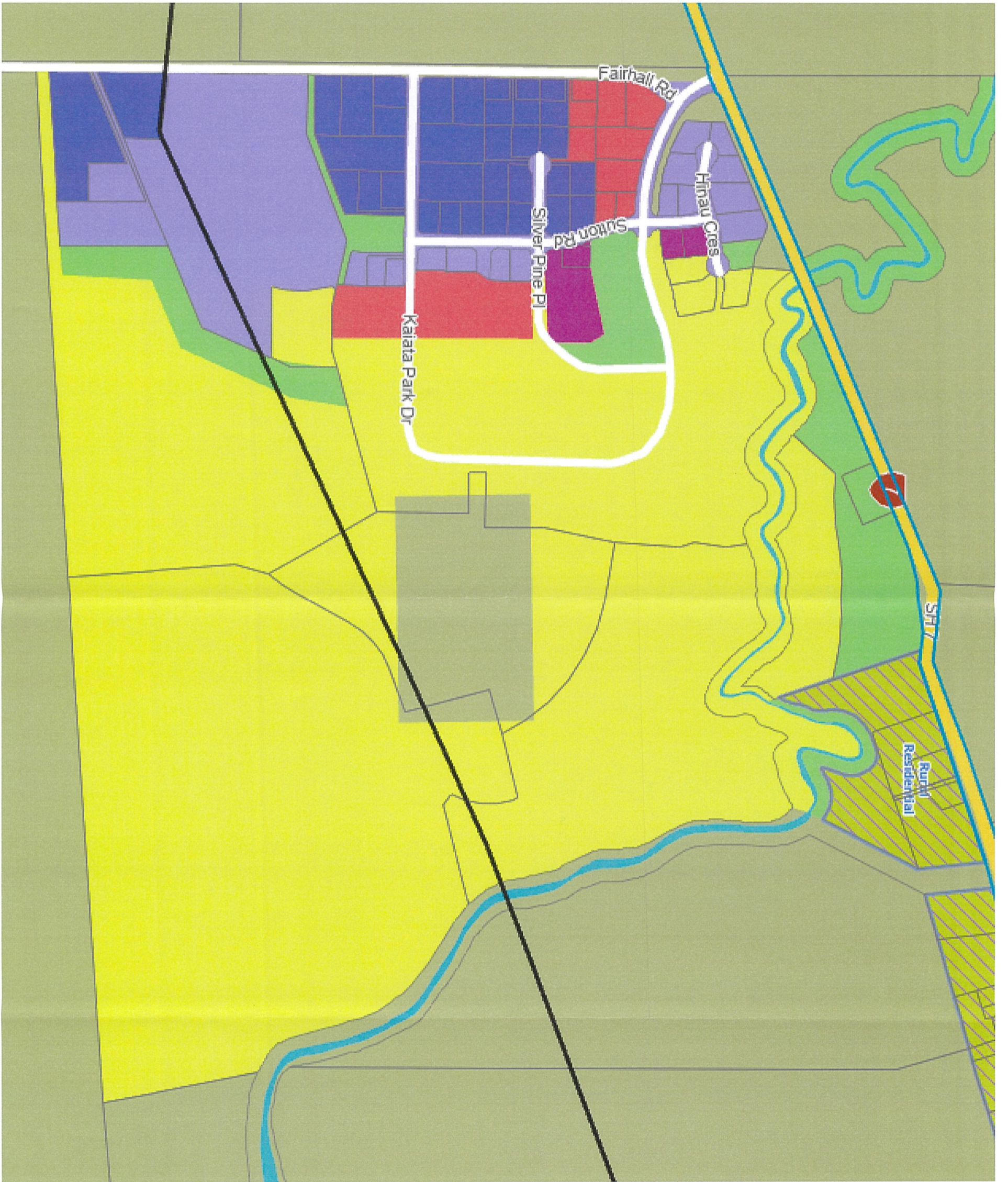
- Commercial Zone
- Mixed Used Zone
- General Residential Zone
- Light Industrial Zone
- General Industrial Zone
- Open Space Zone

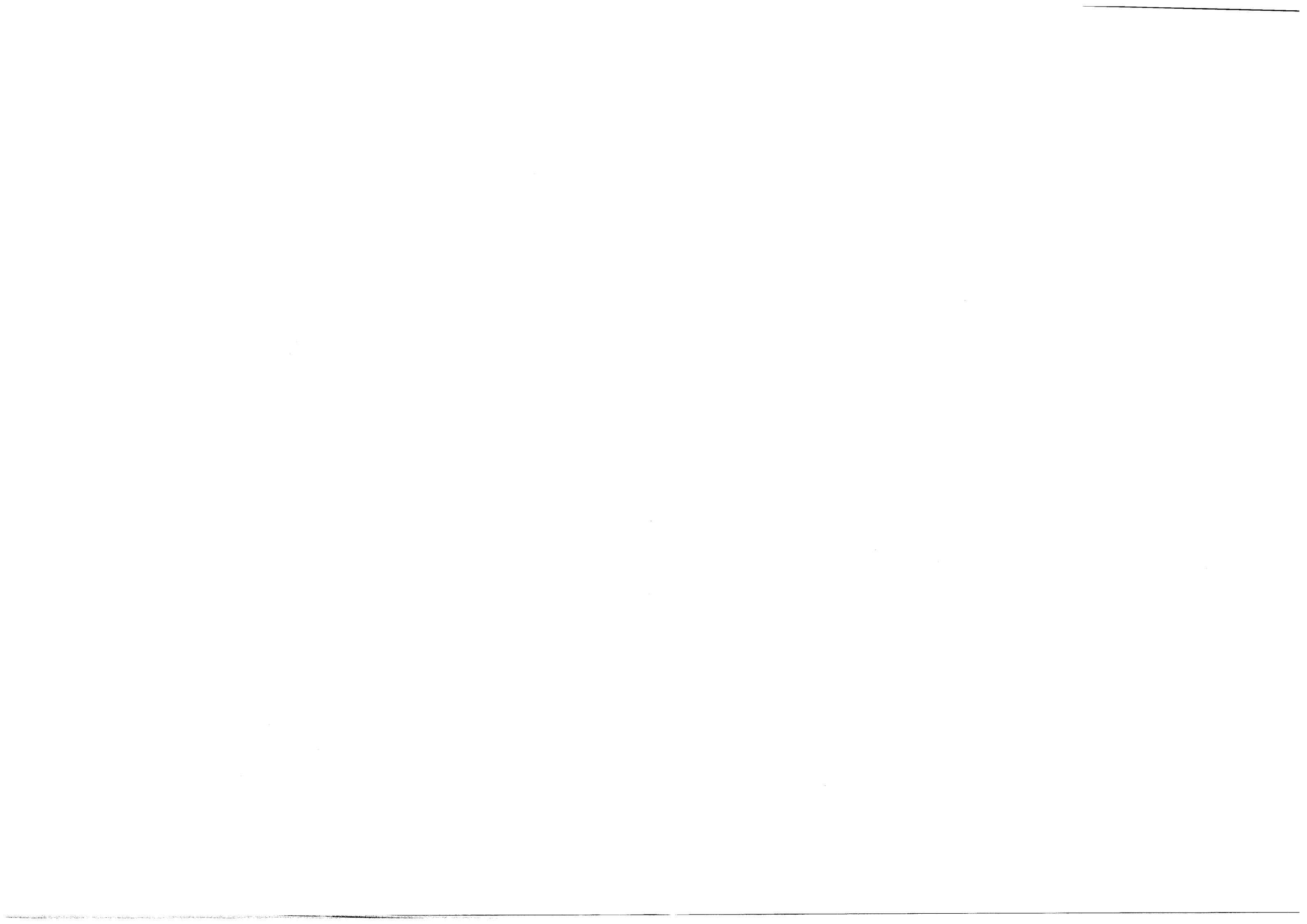


A	10/22	ODP Overlay	RB
/ issue	/ date	/ reason	/ approved

CAD ref: 41473 - ODP Overlay (350a).dwg

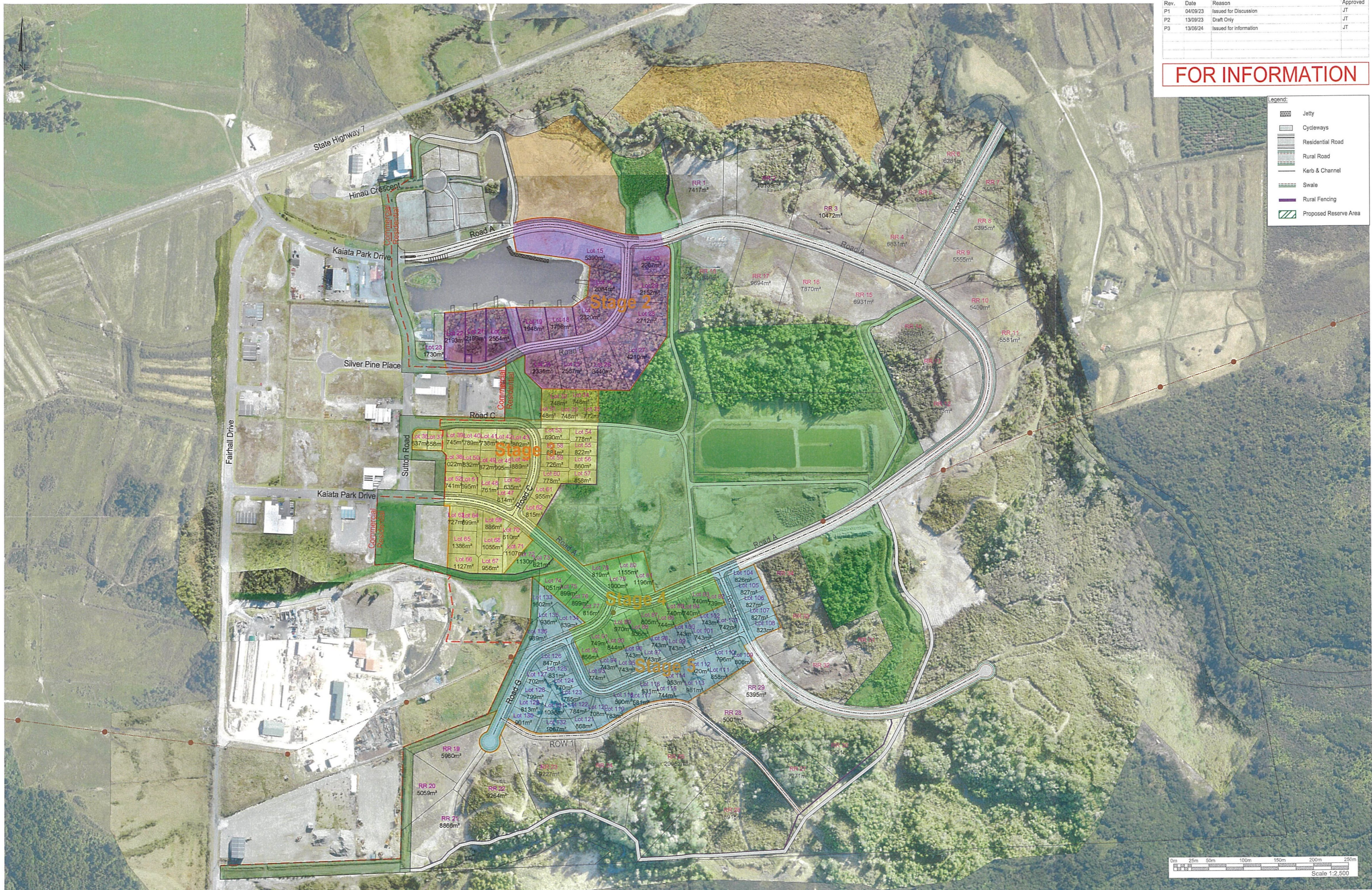






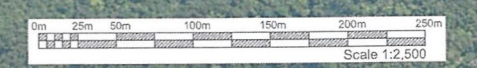
Rev.	Date	Reason	Approved
P1	04/09/23	Issued for Discussion	JT
P2	13/09/23	Draft Only	JT
P3	13/06/24	Issued for information	JT

FOR INFORMATION



Legend:

	Jetty
	Cycleways
	Residential Road
	Rural Road
	Kerb & Channel
	Swale
	Rural Fencing
	Proposed Reserve Area



CAD ref: 41473.Masterplan

