

From: info@waipadc.govt.nz
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Subject: External Sender: Waipā District Plan - Plan Change Submission Form 5 - Michael and Leisa Hurley
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Full name of submitter Michael and Leisa Hurley

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Email address

Address for service

Contact phone number

Contact phone number

Contact phone number

This is a submission on the following proposed plan change to the Waipā District Plan

Proposed Private Plan Change 37 - Rider Park Structure Plan

Could you gain an advantage in trade competition through this submission? I could not

Are you directly affected by an effect of the subject matter that - (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition? I am

Do you wish to be heard (attend and speak at the Council hearing) in support of your submission? I do

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes

Do you support the proposed change(s)? I oppose

The specific provisions of the plan change my submission relates to are (give details):

See attached submission.

My submission is

See attached submission.

I seek the following decision/s from Council

See attached submission.

Attachments

[PPC 37 SUBMISSION - Michael and Leisa Hurley\(43845743.5\).pdf](#) (312 kb)

Submission Opposing Proposed Private Plan Change 37

Submitter: Michael and Leisa Hurley

Address for service: Simpson Grierson, Level 27, 88 Shortland Street, Auckland.

Email:

Phone:

Plan change: Proposed Private Plan Change 37 – Rider Park Structure Plan

Position: Oppose

I wish to be heard in support of my submission: Yes

Submission

We oppose Proposed Private Plan Change 37 (**PPC37**) in its entirety.

Our property at 19 Maungatautari Road is directly affected by the proposed rezoning and structure plan. Our property is located within the remaining 15 hectares of the C5 Residential Growth Cell (**C5**) that has not been included in the plan change area, but immediately adjoins it.

We are concerned that the proposal will generate significant and unnecessary amenity, traffic, servicing, construction and character effects on existing residents, without sufficiently robust evidence to support this scale and timing of development.

This submission is not anti-growth. We oppose premature, out-of-sequence and insufficiently serviced growth in a sensitive part of Cambridge and Leamington, at a scale and density that would materially erode the existing character and amenity of our area and the natural environment.

Grounds of opposition

1. The proposal involves inappropriate out-of-sequence and unanticipated development

PPC37 would rezone 45ha of Deferred Residential (C5) land, and 52 ha of Rural zoned land, to Medium Density Residential.

The proposed rezoning of the Deferred Residential land is significantly out of step with the identified development sequence and timing in the Waipā Growth Strategy (**Strategy**) and Waipā District Plan. Deferred Zones are only intended to be converted from their current land use after 2035, in a carefully planned and integrated way, and in alignment with the Strategy. The Strategy identifies C5 as not needing to be developed until after 2035. Because of that time horizon, the Council's 10 Year Plan does not include funding for the infrastructure needed to service this area.

As for the 52 ha of Rural zoned land that makes up most of the plan change area, it is not part of C5 and it has not been identified as suitable for development in the Waipā 2050 Growth Strategy, Waipā District Plan, or any other growth strategy or planning document. Its rezoning for urban development is entirely unanticipated.

For the reasons set out in this submission we do not believe that PPC37 justifies this out-of-sequence and unplanned development. The plan change area is also simply too large. Even if some growth in this general area is eventually needed, that does not justify rezoning the full 98 ha, especially the Rural zoned land outside the deferred planning framework. The scale of the request is broader than necessary and inconsistent with the carefully planned and sequenced release model envisaged by the District Plan and Strategy.

2. There is no housing shortfall justifying out-of-sequence development on this scale

PPC37 will enable over 1,250 dwellings in the near to medium term, compared to the District Plan's forecast of 732 dwellings in C5 over the long term. The applicant relies on housing supply benefits to justify the proposal. However, it has not shown there is a genuine near or medium-term capacity shortfall that warrants activating C5 ahead of its programmed development timeframe, let alone the additional rezoning 52 ha of Rural zoned land that is not earmarked for housing at all.

The applicant's Economic Impact Assessment argues there is insufficient capacity to meet medium and long term housing demand. This relies on an economic model that fixes prices as at 2022, and assumes a high level of population growth. However, even under that model, the Assessment shows *no* short term (2022-2025) housing shortfall in Cambridge and only a very modest shortfall (-170) in the medium term (2022-2032). Under an alternative "market growth" scenario, the Economic Impact Assessment forecasts a *significant surplus* in both district-wide (+9,700) and local (+4,600) housing capacity in the long term (2022-2052).

The applicant's own data does not make a convincing case for releasing 1,250 additional homes into the Cambridge market in the short or medium term, particularly when that runs contrary to every relevant strategic planning document for this area, and will result in the irreversible loss of highly productive rural land (as discussed below).

3. The proposal is not supported by adequate transport, water supply or wastewater infrastructure

Transport

The Council's Waipā Transport Strategy identified the need for a third river crossing (or increased river crossing capacity) to support growth in Cambridge. Cambridge already has material transport problems. Rapid growth is putting pressure on a small number of key connections, there is only one bridge carrying heavy traffic over the Waikato River, and the existing river-crossing infrastructure is aging. This affects the resilience, safety and efficiency of our network. The Council's Cambridge Connections programme shows that a bridge corridor will not be identified until December 2026, and potential funding will not be considered until June 2027. We believe it is unsound to rezone for a large medium-density precinct now, before a core strategic transport solution for Cambridge and Leamington has been identified or funded.

The Integrated Transport Assessment (ITA) for PPC37 identifies that when fully developed, the plan change area will generate around 6,680 vehicle movements per day. To function as intended, the development requires several network upgrades including:

- a signalised intersection at Shakespeare Street/Wordsworth Street;
- two single lane roundabouts at Cambridge Road/Kaipaki Road/Lamb Street;
- a single lane roundabout at Lamb Street/Roto O Rangi Road/Carlyle Street.

The Shakespeare Street / Wordsworth Street intersection is a critical capacity constraint. Without it, the ITA identifies that development cannot progress beyond the 31st dwelling relying on Wordsworth access.

Water

The plan change area is outside the Cambridge municipal water supply network. The applicant's servicing assessment indicates that if the Council did allow a connection from the plan change area to the network, there would only be enough capacity in the network to service the C5 area, but not the Rural zoned land. The application says that additional connection points and solutions to service the rest of the plan change area will need to be confirmed with modelling "at a later date". It is imprudent to live zone the Rural-zoned land without confidence as to how it will be serviced with a reticulated drinking water supply.

Wastewater

There are no public sewers servicing the plan change area. The applicant's servicing assessment says that only around 205 dwellings in the plan change area could discharge to the Leamington network without any network upgrades. Servicing later stages of the development will require construction of a new rising main.

The proposed solution is inadequate

PPC37 is not supported by current roading, water supply, or wastewater infrastructure. The applicant has not presented concrete solutions to these problems, beyond saying that the necessary infrastructure will be secured through a Private Development Agreement between the developer and the Council, which will sit outside the plan framework. The Modified Rule Framework does not include trigger rules to prevent development ahead of the necessary water supply and wastewater infrastructure being provided, and the applicant has not offered a sufficient explanation for the lack of such rules.

We do not support rezoning this land for more than 1,250 homes without the necessary infrastructure in place, and no certainty or transparency around the timing and delivery of any future funding. There is the potential for land within the plan change area to be rezoned to allow for its future urban development, but that development not in fact occurring (or occurring on a piecemeal basis) in the absence of appropriate roading, water supply, or wastewater infrastructure.

4. The proposal risks poor urban outcomes and erosion of Cambridge's established character

The proposed zoning would be Medium Density Residential across a very large area, with proposed densities of 25 dwellings per hectare.

Our concern is not simply "more houses." Our concern is that this proposal would enable an overly intensive, high-turnover urban form at the edge of Leamington before the necessary transport and servicing framework is in place. That creates a serious risk of substandard amenity outcomes, overloaded local streets, loss of openness, noise and disruption over many years, and gradual erosion of the small-town character, green edge and distinctive feel that make Cambridge and Leamington attractive in the first place. Council's own engagement on Cambridge Connections records that residents value Cambridge's green spaces, village feel and boutique character.

We are also concerned that poor integration between the plan change area and its surroundings could result in fragmented development, potentially foreclosing future options for the rational development of the neighbouring C5 land (including our own) or creating adverse interface effects for existing rural properties.

In our view, the applicant's "well-functioning urban environment" assertions are aspirational and do not respond to the real local amenity and character effects that will result from out of sequence development on this scale.

5. The proposal will result in the loss of highly productive land

PPC37 will result in the irreversible loss of highly productive land and is inconsistent with the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**). The Rural zoned portion of the site, which makes up most of the plan change area, contains a significant area (21ha) of highly productive LUC2 soils, much of which is contiguous and suitable for intensive horticulture. The NPS-HPL strictly limits urban rezoning of highly productive land, with limited exceptions. The application argues that housing need justifies the rezoning, but for the reasons above we do not find that compelling. The application also argues that other growth cells (which could accommodate a similar scale of development) also contain high-class soils, but, as the application points out, the NPS-HPL does not apply to Deferred Residential land. We believe the NPS-HPL tests are not satisfied by the proposal and that the loss of finite highly productive land from the Rural part of the plan change area should be avoided.

6. The proposal will adversely affect local ecology

The application will have a high level of effect on Threatened – Nationally Critical long-tailed bats from permanent habitat loss. The applicant's Ecological Impact Assessment includes detailed recommendations for managing effects on long-tailed bats, but the proposed Modified Rule Framework does not include rules giving effect to these recommendations. If these measures are left to the consenting stage, we are concerned that the ecological mitigation and compensation measures will not be implemented or will not be implemented to the standard recommended by the applicant's ecologist.

7. The proposal will adversely affect our family's enjoyment of our property

We purchased and live at 19 Maungatautari Road because of the semi-rural character, openness, privacy and outlook that this part of Leamington provides. Our property currently enjoys wide rural vistas, open space, established trees, birdlife, quiet roads, and a sense of separation from the more intensive urban parts of Cambridge. That environment is central to our family's enjoyment of the property. It is not simply a backdrop; it is the reason we chose to live here and invest our family life in this location.

PPC37 would fundamentally change that environment. Instead of looking across a quiet rural landscape, our family would be living immediately beside a large-scale urban development area, with medium-density housing, new roads, lighting, traffic, stormwater infrastructure and construction activity occurring over many years. The sense of openness and rural outlook that we currently enjoy would be replaced by an urban edge. The change would be especially difficult because it is proposed to occur now, well ahead of the timeframe that residents could reasonably have expected from the existing planning framework.

We are particularly concerned about the long construction period and the day-to-day effects this would have on our family. Noise, dust, contractor traffic, earthworks, machinery, loss of privacy, visual intrusion and increased vehicle movements would all materially reduce our ability to peacefully enjoy our home and outdoor areas. We accept that Cambridge and Leamington will continue to grow over time, but PPC37 would impose a sudden, premature and very substantial change on the local environment and on neighbouring families such as ours, without the necessary infrastructure or proper sequencing in place.

For our family, this proposal would not be a minor or abstract planning change. It would directly alter the character of the place we live, the views we enjoy, the quietness and openness of our surroundings, and the lifestyle that attracted us to this property in the first place.

The development is expected to take at least 10–12 years to complete and will involve major earthworks, including re-contouring and excavation for stormwater infrastructure, building platforms, and roading. While the application does not consider the construction impacts on 19 Maungatautari Road, as an immediate neighbour we expect that we will be affected by construction-related dust, noise, traffic, and visual effects.

The applicant's Landscape and Visual Effects Assessment notes that properties on Maungatautari Road along the site boundary will experience a prominent change in views - rated as moderate (adverse) even after accounting for landscaping and visual mitigation. That assessment also assumes that a change from rural to residential character is "anticipated" due to the Deferred Residential zoning of the land, but again we stress that the strategic planning documents for this area do not forecast urban rezoning of this area for at least another 10 years, and rezoning of the Rural land is not anticipated at all. From our perspective this level of change to our quiet rural living environment, at this time, is anything but expected.

Relief sought

We seek that Proposed Private Plan Change 37 be **declined in full**.

In the alternative, if the Hearing Panel is not minded to decline the plan change entirely, we seek the following relief:

1. That all Rural zoned land outside the Deferred Residential framework in the District Plan be excluded from the rezoning.
2. That no rezoning or development proceed until core transport infrastructure is identified, funded and operational, including confirmed solutions for Cambridge river-crossing resilience and local network effects.
3. That no rezoning or development proceed until all necessary water supply and wastewater infrastructure is fully identified, funded, and operational for the scale of development proposed.
4. That the proposal be reduced in scale and density to align with the Deferred Residential framework, and protect the amenity, character and functioning of Leamington and Cambridge.
5. That full earthworks, stormwater, servicing and downstream effects be quantified and independently tested before any rezoning is considered.