

**Before Hearings Commissioners
appointed by Hamilton City Council**

Under

the Resource Management Act 1991

And

In the Matter of

Plan Change 5 to the Hamilton City
Council District Plan

**Statement of Evidence of
Hamish William Anderson
for AJ and HC Koppens**

Dated: 16 September 2022

INTRODUCTION

Qualifications and Experience

1. My name is Hamish William Anderson.
2. I am the Principal Planner and Director of Cohere Planning Limited and am based in Auckland. When I prepared the submission to Plan Change 5, I was a Principal Planner at Novo Group. I set up Cohere Planning in May this year.
3. I hold the qualification of Masters in Resource and Environmental Planning degree from Massey University. I am a full member of the New Zealand Planning Institute.
4. I have over 24 years' planning experience. During this time, I have held positions at Waitakere City Council (Team Leader Resource Consents), GHD (Principal Planner and Planning Team Leader) and Principal Planner at Novo Group.
5. I have undertaken a wide range of planning work in New Zealand, including land development work in Auckland, Tauranga, Christchurch and Queenstown. In addition, I am also on the Auckland Council supply panel for the processing of resource consents.

Background and Involvement

6. I have been providing planning advice to the submitters, AJ and HC Koppens, on Plan Change 5 to the Hamilton City District Plan since November 2021.

Code of Conduct

7. While this is not an Environment Court hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

SCOPE OF EVIDENCE

8. In my evidence I do not repeat the contents of the original submission. I summarise the key aspects of the submission and respond to the Council Officer's Section 42A Report (**Section 42A Report**). The topics covered in my evidence are as follows:
 - (a) the site and receiving environment
 - (b) the submission
 - (c) response to Section 42A Report

SITE AND RECEIVING ENVIRONMENT

9. The application site is known as 20 Peacockes Lane (Section 35 SO 538898) (**Site**). The Site is located on the western side of Peacockes Lane to the south of the intersection with Peacockes Road.
10. The Site is currently occupied by a dwelling and several ancillary buildings. The remainder of the site is pasture.
11. The submitters propose to shortly lodge resource consent for retaining and earthworks to enable the future residential development of the site. That development would be in accordance with the proposed density under Plan Change 5.

THE SUBMISSION

12. AJ and HC Koppens support the proposed High Density Residential zoning for the site. They believe that this is the most appropriate zone to achieve the desired density for the Structure Plan. Given that they wish to residentially develop the site, they seek clarification from Council on several matters notified in Plan Change 5.
13. The submission, as lodged, sought clarification on perceived discrepancies in the various plans contained in Appendices to the Overlay and sought amendments where it was considered there were incorrect sizing of features such as the ecological area. In addition, the submission sought the opportunity to relocate the indicative stormwater pond.

14. The submitters now consider these issues have largely been clarified, through the Section 42a report, to their satisfaction. The following are the primary concerns that the submitter had and seek clarification from the Commissioners

Wetland

15. There is a large wetland identified for the western side of the Site. Since the submission was made to Council an ecological assessment has been undertaken by Wildlands. That Wildlands report identified two wetlands on the property on the same side and general location as notified but in a more confined area.
16. The extent of the wetland is critical for the Submitter as it will have implications on the future development potential of the site particularly given the setbacks for earthworks, stormwater and wastewater outlined in the National Environmental Standard for Freshwater.
17. I understand from Appendix A to the Section 42A report that the area of wetland identified by Council is indicative only and would be assessed and finalised under any resource consent application. The submitters agree that is a pragmatic approach and seek that this be confirmed by the Hearings Panel.

Stormwater Pond

18. As the wetland location (albeit reduced in area) is confirmed for the west boundary, the submitters feel it is prudent for the stormwater pond to be located in that area. Relocating the pond from a 'developable' part of the site would enable additional housing in line with Plan Change 5 and would assist in enhancing the quality of the wetland. We have read the recommendation in Appendix A to the Section 42a report and feel that is a prudent solution but seek confirmation from the commissioners that it is acceptable for the wetland location to be addressed under a resource consent application.

RESPONSE TO SECTION 42A REPORT

19. I have read the Section 42A Report prepared by Craig Sharman and Mark Roberts and am in general agreement particularly with regard the

Appendix A table. That report has provided clarity to the submitters and they now seek confirmation from the Commissioners that they have the same stance as the reporting planners.

20. Point 40.1: Regarding the High Density overlay is understood and agreed.
21. Point 40.2: Regarding the stormwater wetland location. This is understood. The Submitter is shortly to lodge a resource consent for earthworks near that wetland and did not want to be held to the extent shown unless determined to ecological assessment and survey. It is understood, from the comments in Appendix A that there is nothing precluding the pond being relocated to the wetland or elsewhere under a resource consent application.
22. Point 40.3: Regarding the Seismic Setback Line. This is understood and acceptable to the submitter.
23. Point 40.4: Regarding Significant Natural Area location. This is understood and acceptable to the submitter.
24. Point 40.5: Peat Lakes and Wetlands. This is understood and acceptable to the submitter.
25. Point 40.6: Waikato River and Gully Hazard Area: This is understood and acceptable to the submitter.
26. Point 40.7: Significant Bat Habitat Area: This is understood and acceptable to the submitter.
27. Point 40.8: DEV01-PSP: This is understood and acceptable to the submitter.

CONCLUSION

28. The submitters are generally satisfied with the Section 42a report and the comments in Appendix A but they just want the confidence that the Commissioners concur with the comments made by the reporting planners. In short, the submitters will shortly apply for resource consent and they seek confidence that the notations on the relevant

planning maps are not set in stone and can be subject to change during the consenting process.

A handwritten signature in blue ink, appearing to read 'HWA', with a stylized flourish at the end.

Hamish William Anderson

16 September 2022

