

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an application to **HAMILTON
CITY COUNCIL** for private plan
change 7 to the operative
Hamilton City District Plan by
**GREEN SEED CONSULTANTS
LIMITED**

STATEMENT OF EVIDENCE OF GARY NOLAND

1. INTRODUCTION

- 1.1 My name is Gary Noland. I am the Chief Operating Officer ("COO") for the MADE Group Limited ("MADE"), which is ultimately the management entity of Green Seed Consultants Limited ("GSCL").
- 1.2 GSCL is the applicant entity for Plan Change 7 ("PC7") to the operative Hamilton City District Plan ("HCDP") which proposes to rezone approximately 140ha of land at Rotokauri North, Hamilton, to facilitate residential development on that land. For the purposes of this evidence, I will refer to MADE and GSCL collectively as 'MADE'.
- 1.3 MADE was established by developer, Charles Ma, in 2012. MADE is in the business of "community making". Since 2012, MADE (or related entities) has undertaken a broad portfolio of development projects, having completed over \$1.07bn of development ranging from niche rural lifestyle to large scale CBD apartment developments, including:
 - (a) Auranga A and Auranga B1 in Drury, Auckland.
 - (b) The 696 home "Sugar Tree" apartment complex in central Auckland.
 - (c) Developments in Flat Bush, Auckland with a combined total of 500 lots.
 - (d) 30 rural lifestyle sections in Whitford.
- 1.4 MADE currently has \$2.9bn of proposed developments in progress.

Qualifications and experience

- 1.5 I am not presenting as an expert, but as MADE's COO; nevertheless, I note my credentials as follows.
- 1.6 I have a Bachelor of Commerce degree from the University of Auckland (1987) and a certificate in Real Estate from the Saiid Business School at the University of Oxford (2019).
- 1.7 I have over 30 years' experience as a property professional across residential, commercial, industrial, and hospitality development and management and have undertaken numerous large scale development projects.
- 1.8 I joined MADE as COO in April 2018. My role is to develop and oversee a robust, value centric operating model for the MADE Group. This includes:
 - (a) Leading and collaborating with a group of industry leaders from both the private and public sectors to deliver large, complex projects and partnerships; and
 - (b) In particular, managing the large team of project professionals, overseeing operations and implementation, strategic planning, risk mitigation, and heading all commercial negotiations for both the Auranga and Rotokauri North projects.

Purpose and scope of evidence

- 1.9 The purpose of my evidence is to:
 - (a) Provide an overview of the Rotokauri North development;
 - (b) Outline the vision and rationale underpinning that development;
 - (c) Provide an overview of MADE;
 - (d) Outline the technical work that has been undertaken to support PC7; and
 - (e) Explain the approach and process we have taken in engaging with Hamilton City Council ("HCC"), mana whenua, local residents and other stakeholders.
- 1.10 Specifically, my evidence addresses the following matters:
 - (a) Background to the Rotokauri North development and overview of PC7 (Section 3).
 - (b) The MADE story (Section 4).
 - (c) Overview of infrastructure requirements and funding for PC7 (Section 5).

- (d) Consultation and stakeholder engagement (Section 6).
- (e) Comments on the section 42A report (Section 7).
- (f) Comments on submissions (Section 8).
- (g) Concluding remarks (Section 9).

1.11 A summary of my evidence is set out in Section 2 below.

1.12 I am authorised to present this evidence on behalf of MADE.

2. **SUMMARY OF EVIDENCE**

MADE's philosophy

2.1 MADE is an engine for change, which aspires to create strong, fulfilled communities living in our developments. Our vision is to enhance peoples' enjoyment of life by creating places that promote wellbeing by facilitating meaningful connections between people in real "communities with heart".

2.2 MADE's business model enables to obtain funding from a wide range of investors and stakeholders, which in turn enables us to aggregate sufficient landholding/interests to:

- (a) Pursue comprehensive structure planning and private plan changes, which in this case has resulted in PC7 (which includes the proposed Rotokauri North Structure Plan ("RNSP"));
- (b) Engage in constructive and intentional consultation with key stakeholders, tangata whenua and local communities;
- (c) Support viable large scale urban development; and
- (d) Fund delivery of key infrastructure upgrades to support the proposed development.

MADE's vision for PC7

2.3 MADE's vision for PC7 is to enable development of approximately 2,000 homes on 140 hectares of land. This development will be supported by a neighbourhood centre with open green spaces, neighbourhood reserves and multi-modal transport connectivity throughout the development, as well as a green corridor connecting the entire the site.

2.4 Key objectives for the development include ensuring it is an exemplar for sustainable greenfields urban development. This includes maximising opportunities to enhance the

natural environment, and meeting the needs of a diverse community through a range of high-quality housing choices, including affordable housing.

Infrastructure

- 2.5 A key benefit of MADE's business model is that it enables us to undertake and commit to delivery of key infrastructure, thus ensuring that this can be done at pace. This is particularly important in respect of PC7, given that MADE is seeking that land be rezoned for urban development ahead of when the wider Rotokauri North area (an identified growth cell) is otherwise intended to be development ready, in accordance with HCC's current strategic plans.
- 2.6 As such, MADE is committed to funding and delivering key infrastructure upgrades as required, to ensure that the development facilitated by PC7 is serviced by all necessary infrastructure in a timely manner. This is the same approach we have adopted and adhered to for the Auranga development in Drury West, Auckland. MADE thus has a proven track record for delivering on its commitments in this regard.

Consultation and engagement

- 2.7 Consultation and engagement with the community, tangata whenua and key stakeholders has been a key focus and has been of paramount importance to MADE throughout the development of PC7, and this will continue. As well as being "best practice", this engagement has enabled MADE to consider these issues in working up the design of the development and comprehensively respond to concerns raised.
- 2.8 Our consultant team have been undertaking what I consider to be a robust and thorough consultation process, which commenced with HCC before PC7 was formally lodged. This has provided numerous and ongoing opportunities for MADE to respond to feedback. MADE considers that such early and ongoing engagement is an important part of building connections with the communities we seek to become a part of.

Comments on section 42A report and submissions

- 2.9 MADE is pleased:
- (a) To have received a comprehensive section 42A report that recommends approving PC7, with minor modifications to the plan provisions proposed; and
 - (b) That agreement has been reached between our experts and the section 42A author that the proposal satisfies all the key statutory tests and is consistent with all higher order planning documents.

- 2.10 We note that the concerns that were raised by submitters have largely been resolved, particularly with respect to stormwater and traffic matters.

Conclusion

- 2.11 I commend PC7 to the Panel as a development that will enable the delivery of a transformative residential community to Rotokauri North and the Hamilton area, consistent with MADE's core values and the vision and objectives we have set for our Rotokauri North development.

3. ROTOKAURI NORTH AND PC7 - OVERVIEW

- 3.1 By way of PC7, MADE seeks to rezone 140 hectares of land, and to insert a new structure plan and associated rules specific to Rotokauri North, into the HCDP. Specifically, the plan change seeks to:
- (a) Rezone 137.6ha from Future Urban Zone ("FUZ") to Medium Density Residential Zone, to enable residential development;
 - (b) Rezone approximately 1.2ha from FUZ to Business 6 Zone for a Neighbourhood centre;
 - (c) Amend the existing Rotokauri Structure Plan map area to specifically exclude the Rotokauri North area; and
 - (d) Insert a new Rotokauri North Structure Plan ("RNSP") and associated rules.
- 3.2 MADE's vision for PC7 is to facilitate medium density urban development, within an area that HCC has identified as a growth cell. Further, that development will be supported with open green space connecting the entire site through walkable and cycleable multi-modal transport corridors, and a neighbourhood centre in the eastern portion of the site.
- 3.3 It is intended to enable approximately 2,000 new dwellings, comprising a range of housing options, as well as affordable housing, to assist in addressing the current housing crisis.
- 3.4 In undertaking its developments, MADE's philosophy is to maintain and enhance the natural environment to the greatest extent possible. As such, our vision for PC7 includes retaining the area of vegetation on the site that is identified as a Significant Natural Area ("SNA", being Kereru Reserve), as well as ensuring connectivity throughout the entire plan change area via the proposed "green spine".

4. **THE MADE STORY**

4.1 MADE is Charles Ma's vehicle for delivering his development projects. His aim was to set up a company structure that would ensure that a consistent vision is applied to each of MADE's ventures, while also enabling each of those projects to be delivered at pace.

MADE's vision and philosophy

4.2 MADE has been developed as a business with a different kind of vision and focus. Instead of being concerned only with short term commercial outcomes (profits) and the "hardware" (or physical form) of a place, MADE focuses on the "software" (or sense of belonging), people and long term community outcomes.

4.3 While founded on sound business principles and real estate management expertise, MADE also applies different engagement, business and funding models to our projects. At MADE, we replicate the principles of community in the collaborative approach that we take with all our stakeholders, including funders; Government; education, healthcare and commercial interests; and the general public.

4.4 Our vision for MADE and our developments is to enhance peoples' enjoyment of life by creating places that promote wellbeing. Our solution has been to strive to create places (real "communities", not just infrastructure and houses) that provide opportunities for people to connect with each other and where they can truly reach their full potential and enjoy a life well lived. Reflecting this, "community" is the core value underpinning the wider MADE group of companies and, in turn, our developments. Hence the description of MADE as involved in "community making", not a standard development company.

4.5 MADE intends to be world-leading at building great communities with heart. The philosophy we have adopted to achieve that outcome is as follows:

- (a) We build places that meaningfully connect all areas of community life: people, culture, spiritual, environmental, social, economic and organisational.
- (b) Our walkable, cycleable, mixed-use developments offer a sense of belonging, choice and opportunities.
- (c) MADE developments are a model for sustainable townships, where the community has access to jobs, transport options and a safe, healthy environment that is well supported by public services and infrastructure.
- (d) At MADE, we aspire to prioritise, promote and share social equity as a means of providing for community wellbeing. We do this by encouraging community co-creation (i.e. developing a new community in conjunction with the people who

will live there) and growth of social (and economic) infrastructure, along with the creation of personal and communal connections. This helps to grow the heart of the community and provide an experience that is fulfilling for those who live there.

- (e) MADE is working to be an engine for change, which aspires to help create strong, fulfilled communities where everyone has a chance to feel accepted, secure and significant.
- (f) Our business approach is a model for the future in which property development is so much more than building houses and infrastructure.
- (g) By creating communities with heart, we will encourage a higher level of support and "give back" from members of the community.

The MADE business model

- 4.6 The MADE business model focuses on establishing a community of co-operative, collaborative partnering-based relationships with investors which means that MADE is able to obtain sufficient funding to enable us to:
 - (a) Secure sufficient landholdings to support a viable, large-scale urban development (either through purchasing the land directly or acquiring a management interest in it); and
 - (b) Enter into agreements with key stakeholders to fund and deliver the infrastructure required to support the proposed development.
- 4.7 MADE's business model means we are one of few private developers that can achieve the agglomeration of land ownership/interests necessary to pursue a comprehensive structure planning and private plan change exercise such as PC7 and fund the infrastructure necessary to support that development.
- 4.8 The model aims to mitigate the scenario of land fragmentation and infrastructure shortfalls that has undermined the efficiency and delivery of developments in some other greenfield areas.

Landholdings in the PC7 land

- 4.9 In accordance with the business mode outlined above, the Rotokauri North development is largely premised on MADE owning or having a management interest in much of the land it is seeking to rezone by way of PC7, which comprises 30 land parcels.
- 4.10 At the date of preparing this evidence, MADE either owns or has a management interest in approximately 90% of the PC7 land.

5. **INFRASTRUCTURE AND FUNDING**

- 5.1 A key issue that arises when seeking to rezone land ahead of its scheduled release in accordance with strategic planning documents, is ensuring that the required infrastructure can be funded and provided in order to service the proposed development.
- 5.2 I can confirm that all infrastructure required to service the development enabled by PC7 will be provided in a timely manner. This commitment has been secured via the private development agreement ("PDA") that MADE has entered into with HCC.
- 5.3 It is not appropriate for me to disclose details of that PDA. However, I can in summary confirm that in accordance with the PDA and proposed PC7 provisions, and as outlined in the evidence of Messrs Hills and Vodjansky, MADE will fund:
- (a) Traffic and transportation infrastructure (including internal roading and roading upgrades); and
 - (b) Upgrades to and implementation of necessary stormwater, wastewater, and water supply infrastructure to service the development.
- 5.4 MADE is committed to seeing this development proceed, and as a result is committed to ensuring all infrastructure required is in place to enable development to proceed as soon as possible. As noted, MADE has also established a track-record in honouring the commitments it makes regarding infrastructure funding and delivery, through the Auranga development in Drury, Auckland.

Stormwater

- 5.5 I wish to briefly comment on stormwater matters in more detail, as I am aware this has presented a particular challenge in progressing PC7. This is largely due to the flat topography of the land and the ecological conditions (including shallow surface water) as a result of the land being a historic wetland.
- 5.6 However, significant work has been undertaken by MADE's consultants to ensure stormwater can be sufficiently managed to minimise potential flooding effects and to maintain water quality of stormwater runoff. I will leave Mr Vodjansky (together with Mr Tollemache and Ms Fraser-Smith) to outline the comprehensive engineering and planning solutions (via amended provisions for PC7) that have been reached in that regard, in more detail.
- 5.7 In reliance on the technical reporting prepared by MADE's consultants, I am confident that MADE has undertaken all work necessary to ensure that adverse stormwater effects can be appropriately managed to enable urban development at Rotokauri North.

6. CONSULTATION AND STAKEHOLDER ENGAGEMENT

6.1 As outlined above, the MADE business model is based on establishing a community of collaborative relationships with all those affected by and who have an interest in our developments. Fundamentally, this requires that we engage with all key stakeholders (including affected landowners), neighbours and the wider community at the early stage of project development. This engagement must also be collaborative, transparent and ongoing.

6.2 Both Mr Ma and I work to ensure that MADE's consultant team undertake what we consider to be a thorough and robust consultation process. We also personally participate in these discussions wherever possible. For Rotokauri North, this has included regular and ongoing consultation (as necessary) with the following:

- (a) The local community;
- (b) Tangata whenua/iwi groups;
- (c) HCC;
- (d) Waikato District Council ("WDC");
- (e) Waikato Regional Council ("WRC");
- (f) Waka Kotahi; and
- (g) The Ministry of Education ("MoE").

6.3 As well as being the "best practice", the engagement with the key stakeholders and the Rotokauri community has enabled us to fully understand their concerns and issues. We have then endeavoured to respond to and address these wherever and as far as we can, in developing Rotokauri North.

6.4 I detail specific aspects of our consultation with key stakeholders undertaken further below.

The local community

6.5 A Community Consultation Open Day was held at the Rotokauri School on 10 November 2019. This was an opportunity for MADE to present our masterplan for the PC7 land, as well as explain the plan change and rezoning process. We also answered queries received from the local community regarding the proposed development.

- 6.6 Since this time, there have been ongoing discussions with individual landowners both within and adjacent to the PC7 land, as those have been requested. In this regard, the landowners that Mr Ma has met with personally to discuss the proposal include:
- (a) Bo Ram Yu (owner of 301 Te Kowhai Road);
 - (b) James Lin (owner of 284 Exelby Road);
 - (c) Van and John Temm (owners of 349 Te Kowhai Road);
 - (d) Tim and Karen Hennessey (formerly owners of 82 Burbush Road); and
 - (e) John and Bev Utting (local residents).
- 6.7 PC7 was also limited notified to all landowners within and adjacent to the PC7 land. As such, of those residents listed in paragraph 6.6, all but the Uttings received notification of (and were able to lodge a submission on) PC7. Notably, the only person notified who made a submission was Bo Ram Yu. That submission seeks that appropriate access to 301 Te Kowhai Road be maintained but otherwise supports PC7.
- 6.8 As outlined in the section 42A report, a number of other landowners in proximity to PC7 have lodged submissions in opposition to PC7. From my review of those (largely pro-forma) submissions, I am aware that they predominantly raise transportation issues and I leave Mr Hills to respond to those matters. However, on the basis of his evidence, I understand that all submitter concerns in this regard can (and will be) appropriately addressed, for the reasons he has outlined.

Tangata Whenua Working Group ("TWWG")

- 6.9 Working collaboratively with iwi has been a key focus for MADE throughout the Rotokauri North project. This engagement has established a respectful and collaborative relationship between the parties and ultimately, resulted in the creation of the TWWG, of which MADE is a member.
- 6.10 MADE is committed to a long term relationship with iwi, and fostering positive outcomes for iwi within the Rotokauri North development. MADE has endeavoured to progress PC7 in a culturally respectful way and will continue to do so as the project moves forward.
- 6.11 The extent to which we have achieved that outcome to date is demonstrated by both the TWWG's submission in support of PC7, and the evidence being presented on behalf of MADE by Mr Norman Hill. I leave those documents to speak for themselves, other than to note that I am particularly pleased and humbled that MADE has been able to establish such a positive and enduring partnership with tangata whenua.

HCC

- 6.12 MADE's consultant team has been engaging with HCC regarding Rotokauri North since 2017, long before PC7 was formally lodged. This has included facilitating meetings and workshops, and ongoing liaison with individual experts and consultants engaged on behalf of HCC, to assess options and identify solutions to outstanding matters of contention. MADE also previously sought (and obtained approval for) a Special Housing Area ("SHA") under the Housing Accords and Special Housing Areas Act 2013 ("HAASHA") within Rotokauri North.
- 6.13 Despite the SHA being approved, MADE was not able to pursue a rezoning of the PC7 land under HASHAA, as there are no prohibited activities within the FUZ under the HCDP. MADE accordingly always knew we would need to pursue this rezoning by way of a plan change process under the Resource Management Act 1991 instead. MADE lodged a draft plan change request in December 2018, for provisional comment and feedback from HCC, before it was formally lodged in April 2019.
- 6.14 Since that time, our consultants have continued to work closely and collaboratively with HCC's representatives, to progress the plan change request. We are very pleased that has resulted in MADE receiving a positive section 42A report, which recommends approving PC7 subject to minor amendments. I will leave our various experts to address the appropriateness of those amendments in detail.

WDC

- 6.15 The western and northern edges of PC7 are adjacent to the boundary between HCC and WDC. As such, MADE's consultants have been engaging with WDC councillors and staff regarding the project via presentations and correspondence (as required) since 2018. WDC have indicated their key interest is in ensuring stormwater from the development is appropriately managed (as it will be), so does not have impacts into their district. WDC has not lodged a submission on PC7.

WRC

- 6.16 WRC's submission on PC7 states as follows:

"WRC notes that this plan change is part of a wider process and planning framework for the Rotokauri growth area. WRC has been involved in, and will continue to participate in this process. Staff have had ongoing involvement on technical aspects of the proposal for some time and will continue to engage with Hamilton City Council and the applicant through this plan change, the Rotokauri Greenway Corridor Notice of Requirement, and through the relevant regional consents required for urban development of the area."

6.17 WRC has therefore advised that it generally supports the proposal, as it aligns with the Future Proof Strategy and the Waikato Regional Policy Statement, subject to the following key areas of interest:

- (a) The need to give effect to Te Ture Whaimana, to ensure that the natural functioning and health of the catchment is maintained and enhanced.
- (b) The need to achieve hydraulic neutrality to protect the existing aquatic values.
- (c) The provision of public transport and multi modal transport options.
- (d) Consideration of biosecurity, climate change and hazards.

6.18 Each of those matters is addressed in MADE's expert evidence. In that regard, I simply note that, as with HCC, there will continue to be ongoing engagement with WRC regarding development in Rotokauri North, for the life of the project.

Waka Kotahi

6.19 Representatives from MADE initially met with Waka Kotahi regarding PC7 in August 2017. As with the TWWG and all local authorities, our consultant team has continued to work closely with Waka Kotahi representatives since that time. This ongoing engagement has resulted in Waka Kotahi lodging a submission in support of the rezoning proposal, subject to some minor amendments being made to the proposed PC7 provisions.

6.20 Mr Hills addresses the outcomes of the discussions (and expert conferencing) that have occurred with Waka Kotahi representatives, and extent to which the matters raised in their submission remain outstanding, in detail.

Ministry of Education

6.21 Consultation has been undertaken with MoE in respect of PC7 since 2018. This consultation has determined that the wider Rotokauri North area will likely require a new primary school. In its submission on PC7, MoE has advised that it supports the proposed development in Rotokauri North, subject to ongoing engagement with HCC and MADE so they are informed of staging/timing and therefore potential impact on the school network. I confirm that MADE is committed to that ongoing process of consultation with MoE.

7. COMMENTS ON MATTERS RAISED IN THE SECTION 42A REPORT

7.1 On behalf of MADE, I am pleased to have received a comprehensive and thorough section 42A report that recommends that PC7 be approved.

7.2 As noted, I will leave MADE's consultant team to provide detailed responses to the technical issues arising from the section 42A report. I simply note that, as I understand it, any outstanding issues relate to matters of technical detail, not fundamental issues as to whether PC7 (and the development it will facilitate) is appropriate.

8. **COMMENTS ON MATTERS RAISED IN SUBMISSIONS**

8.1 Again, I will leave it to our consultants and technical experts to address matters raised in submissions in detail. However, I would like to make two brief comments and acknowledgements.

8.2 First, the submissions from key stakeholder groups including the TWWG, Waka Kotahi, WRC and MoE support PC7, in some cases subject to minor/technical amendments being made to relevant district plan provisions. I understand those matters have, subject to very few exceptions (as detailed in MADE's expert evidence), now been resolved. As noted in Section 6 above, we will continue to engage and consult with all those stakeholders, as the project progresses.

8.3 Other key stakeholders (such as WDC) have not made formal submissions. However, we will likewise continue to consult with them to ensure any concerns are addressed and that MADE continues to foster the strong relationships formed during the development of this project.

8.4 Second, I acknowledge that there are a number of pro forma submissions in opposition to PC7, predominantly from neighbouring or nearby residents, and their primary area of concern is traffic and transport. In developing PC7, MADE has always acknowledged that transport was one of the key challenges and areas that required particular attention.

8.5 On the basis of the advice from MADE's consultant team, and supported by the positive recommendation of the section 42A report, I understand that the concerns raised in those submissions have been sufficiently addressed through the proposed revisions to PC7. I confirm that MADE also intends to continue to seek local community input as the project progresses, to understand and hopefully resolve any remaining issues that landowners and residents may have.

9. **CONCLUSION**

9.1 The part of Rotokauri North that will be developed in accordance with PC7 is intended to be a sustainable and liveable community, which integrates with its surrounding environment and provides a high quality, connected place for people to live.

9.2 As MADE's COO, I am satisfied that our investigative and design processes have been thorough and robust and that the company has had sound advice available to it

throughout. I am also satisfied that, as proposed, the project will be undertaken in a manner that is consistent with best practice, MADE's company and environmental values, and our commitment to the community and to mana whenua.

- 9.3 I commend PC7 to the Panel as a proposal that will deliver much needed, high-quality development in Rotokauri North, north of Hamilton. Importantly, this housing will be part of a liveable, sustainable community with open space, connectivity, schools, and small scale retail/convenience offerings, that will meet all its resident's needs. As such, it will be a community that is both consistent with, and exemplifies, MADE's core values.

Gary Noland

24 September 2021