

UNDER

the Resource Management Act 1991
("RMA")

IN THE MATTER

of Private Plan Change 13 – Rezoning of the
Te Rapa Racecourse

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF FRASER MCNUTT ON BEHALF OF
METLIFE CARE**

[PLANNING]

1. INTRODUCTION

- 1.1 My full name is Fraser Guy McNutt. I have previously given a statement of evidence in relation to the above matter, dated 10th August 2023. This statement responds to the rebuttal evidence and provides a further summary of my position on the matters raised in my evidence.
- 1.2 I appear today on behalf of my client Metlifecare, whom are in general support of the proposed plan change 13.

Expert Witness Code of Conduct

- 1.3 I re-confirm that I have read the Code of Conduct for Expert Witnesses (Environment Court Consolidated Practice Note 2023).

Purpose and Scope of Evidence

- 1.4 I have pre-circulated evidence, of which has a rather confined scope. That scope is, in summary, twofold:
 - (a) Identifying and responding appropriately to, the receiving environment. The receiving environment I speak of specifically is the Forest Lake Retirement Facility that is operated by Metlifecare as identified in Figure 1 of my evidence.

And

- (b) Future proofing the development potential for retirement living within the portion of proposed residential zone adjacent to my client's land.

1.5 As stated in my evidence, particularly section 2.1, a summary of key issues is identified for which I will now discuss.

Providing specific recognition in Objectives and Policies for rest homes and retirement villages and removing development controls from Objectives and Policies.

1.6 The amendments suggested in the s42A, specifically to Objective 4.2.15(b) and 4.2.16(d) directing development to integrate specifically with the rest home and retirement village is supported.

1.7 Upon reading rebuttal, specifically from Mr Olliver and Mr Campbell, I am in agreeance that an amendment to include 'up to 5 storeys' is more appropriate and suitable rather than the originally notified specification of 'including 3-5 storey buildings.' This provides better for development to cater for a range of heights in my view rather than a perceived emphasis on buildings in the range of 3-5 storeys.

Ensuring the proposed rules along the shared boundary between the MC site and the PPC13 area are sympathetic to the existing built environment.

(a) Specifically in relation to boundary setback and height in relation to boundary rules to be consistent with GRZ.

(b) Exclusions for retirement villages to have separate service areas and outdoor living spaces per unit.

1.8 You have heard from Mr Pell this morning and in conjunction with my evidence we seek acknowledgement of the sensitive receiving environment that is, the Forest Lake retirement home and its older demographic. It is my view that what adjoins the PP13 southern boundary is not typical of what exists in other residential zones in Hamilton. I have stated reasons why this is, in my evidence, specifically sections **4.7-4.9**.

1.9 However, I acknowledge the requirement for proposed plans that incorporate future residential zoning, in that the MDRS applies. I note Mr Olliver's rebuttal and note the pathway through 3.32 (h) of the NPS UD that would deem higher density development inappropriate, but only if the requirements of 3.33(3) are met. I have not prepared an evaluation report under 3.33(3).

1.10 I therefore appreciate and accept the position that the s42a writer and Mr Olliver have arrived at in relation to boundary controls, specifically setbacks, H2B and service and ODL areas.

My final point which I seek to elaborate further on:

- (a) Ensuring the Precinct plan is able to accommodate rest homes and retirement villages and associated private infrastructure.

1.11 I note the inclusion of rest homes and retirement villages within PP13, being a Restricted Discretionary activity status. I note the cascade of activity status to Discretionary should there be a non-conformance with the Precinct Plan.

1.12 Section 4.19 - 4.23 of my evidence sets out the basis for why I think it is appropriate to add additional guidance within the planning provisions surrounding the proposed 'precinct plan'.

1.13 Upon review of the proposed precinct plan and the accompanying provisions (contained in 4.8.12) it is my view that this has the potential to operate similar to that of a structure plan, when being given effect to through various resource consent applications.

1.14 In my experience these sorts of planning documents serve as indicative guidance for future land development. It is appropriate in my view, that the precinct plan anticipates subdivision and accommodates the potential for different ownership tenure. The precinct plan as presented, in my view has a lot of detail, to the extent it appears a very low percentage of land would be free of overlays & or infrastructure requirements.

1.15 As Mr Pell and I have reiterated, large private and comprehensive development (such as the neighbouring Forest Lake Retirement Village) would not build and vest infrastructure, equally it may not typically provide for public connectivity. If there was an expansion of the adjoining landuse, it would not be advantageous for Metlifecare to build and vest infrastructure to the size and standard that is indicated in the precinct plan. Providing for private development such as retirement village use through the precinct plan provisions as an RD, activity is the outcome Metlifecare seeks.

1.16 Specifically for the rectangle block of precinct land adjoining the Forest Lake retirement village, it is my view that three key modifications be made to the Precinct Plan:

- (a) That the local roads west of the Ken Browne Drive be removed from the precinct and replaced with an indicative intersection only. The development of this portion of land can be managed through the consenting process and appropriate urban design assessment criteria and guidance. Alternative vehicle connections through ROWs & Access Lots can also provide for residential development should they be needed.
- (b) The expectation of a public roading connection through to the racecourse westerly be removed. I do not think it's suitable to assume public connectivity through to the MFZ racecourse land at this time. It is not proposed to zone any additional land and the MFZ provides for a much different land use outcome than what is being proposed through this Plan Change 13. There is an extremely large residual piece of MFZ left post-PP13 that could address and respond to any future zone changes in my view.
- (c) Remove the indicative connection arrow to 'neighbouring development'. I assume this is intended to be pedestrian connectivity. If my client purchases and develops this land then a connection would be likely and can be implemented through the consent process. In the circumstance that there isn't a purchase there is no desire to enable public thoroughfare through a private residential retirement home that is already established. I suggest for this reason the arrow be removed.

1.17 As such Metlifecare suggests amendments to reflect Figure 1 below:



Figure 1 – Amended Precinct Plan

Fraser McNutt

24th August 2023