

**BEFORE AN INDEPENDENT HEARINGS PANEL
OF THE WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of the proposed Waikato District
Plan (Stage 1) Hearing 25

**STATEMENT OF EVIDENCE BY SARAH NAIRN OF THE SURVEYING COMPANY ON
BEHALF BUCKLAND LAND OWNERS GROUP**

PLANNING

17 February 2020

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1. INTRODUCTION AND SUMMARY

1.1 This evidence is prepared behalf of Buckland Land Owners Group and seeks that a 400ha area of land to the east of Buckland village is zoned Countryside Living in the Proposed Waikato District Plan (**PWDP**) or is identified as a receiver area for Transferable Development Rights (**TDR's**). Both of these outcomes will enable a rural-residential style of development.

1.2 Providing for rural-residential development in this location would enable a range of positive planning outcomes:

- (a) The proposed Countryside Living zone will create an appropriate interface between the urban activities (1;400m² lots) planned to occur in the Auckland region and the wider rural environment in the Waikato region.
- (b) The proposal will help to provide housing choice within the rural environment in that it will provide a higher density option as compared to larger lifestyle blocks and large farm holdings.
- (c) The rural-residential form of development enabled by the Countryside Living zone will promote a more efficient use of land as compared to larger lifestyle blocks (1-20ha). The evidence of Mr Adam Thompson which identifies that over a 10 year period 880-1760ha of rural production land could be retained in rural use by adopting rural-residential development instead of larger lifestyle blocks.
- (d) The proposed Countryside Living zone will help to meet the demand for living in the rural environment which to date has seen 2100 dwellings constructed in the rural environment in the last 10 years¹. It is incumbent on district plan processes such as this to take account of such demand and channel it into areas and locations where potential adverse effects can be avoided or mitigated against. Otherwise, there will be unintended and perverse consequences such as people purchasing larger scale productive land and only using it for lifestyle

¹ Evidence of Adam Thompson

purposes. The areas to the east of Buckland are an appropriate location given the proximity to Pukekohe.

- (e) The proposed Countryside Living zone will provide a “home” for activities that support the rural environment such as fertilizer spreaders, fencing contractors, silage, hay and cropping contractors, well drillers, hedge cutters and earthworks contractors.
- (f) Mr Adam Thompson identifies that the rural-residential development would result in a net present value generated from the construction and habitation of rural-residential homes of \$471-943 million over a 40 year period.

1.3 Most importantly, the proposal will give effect to the Waikato Regional Policy Statement (**WRPS**) as it provides for and manages rural-residential development in an appropriate location. Furthermore, it also gives effect to the policy seeking integrated management across the boundary with the Auckland region.

1.4 The proposal is also in-line with the relevant context setting objectives and policies in the PWDP for the following reasons:

- It will consolidate growth around the existing Buckland village and will therefore help to create a compact form of development and enable community facilities to be used efficiently. It is acknowledged that Countryside Living is not a “growth” zone but it nonetheless provides for more housing development at (1:5000m² net site area) lot size) as compared to the Rural zone (1:40ha);
- Providing an increased housing density around Buckland Village will contribute to the Future Proof target of 80% of growth in the Waikato occurring in key towns and villages;
- The Countryside Living zone will provide an effective transition or buffer between the wider rural environment and the urban development occurring at Buckland;
- Whilst the proposal will facilitate subdivision on land with High Class Soils, this is not considered to be inappropriate in this instance given that the land is already so fragmented it is unlikely to be used for a productive purpose.

1.5 The proposed Countryside Living/TDR receiver area also ensures best practice planning as the extent of the area has been carefully thought out to match align with road boundaries and to provide a transition/buffer between the urban and rural environments.

1.6 Overall, this proposal is a sensible and pragmatic way of giving effect to the requirement to provide for and manage rural-residential development. It also demonstrates that the Waikato District Council is aware of and is responding to the urban development provided for in the adjoining Auckland region.

2. EXPERIENCE AND QUALIFICATIONS

Sarah Nairn

2.1 My full name is Sarah Nairn. I am a Senior Planner at TSC in Pukekohe. I hold a Bachelor of Science and a Masters of Planning Practice (Hons) from the University of Auckland.

2.2 My relevant professional experience spans 20 years in both the private and public sectors in New Zealand and the United Kingdom. In the public sector, I have worked in the policy team at Auckland Council undertaking a wide variety of plan changes to the Auckland City Isthmus District Plan. In this role, I was also part of the team who undertook a review of the Hauraki Gulf Islands District Plan and inputted into the preliminary stages of the Auckland Unitary Plan.

2.3 Within the private sector, I have worked for a range of clients to obtain resource consents for large scale residential subdivisions and other development projects. I have also undertaken private plan changes to rezone land such as Three Kings Quarry in Auckland. I also presented evidence at the Auckland Unitary Plan hearings on a range of issues. These roles have provided me broad spectrum of both policy and resource consent experience in the Auckland and Waikato regions and New Zealand generally.

3. CODE OF CONDUCT

3.1 I confirm that I have read the 'Expert Witnesses Code of Conduct' contained in the Environment Court of New Zealand Practice Note 2014. This evidence has been prepared in compliance with that Code in the same way as if giving evidence in the Environment Court. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

3.2 In preparing this statement of evidence, I have read the s42A Framework Report prepared by Dr Mark Nairn Davey.

4. SCOPE OF EVIDENCE

4.1 This evidence has been structured in the following way:

- (a) Sections 5 and 6 set out the background as to the submitter, location of the Subject Site and the relief sought;
- (b) Section 7 sets out an assessment of the relief sought in submissions;
- (c) Sections 8, 9 and 10 undertake a Rezoning Assessment of the relief sought in accordance with the '3 Lens' approach set out in the Framework Report by Mark Davey;
- (d) Section 11 sets out a summary of the Section 32 analysis;
- (e) Section 12 contains my conclusion.

5. SUBMITTERS AND SUBJECT LAND

5.1 This evidence is prepared on behalf of the Buckland Land Owners Group who collectively own the majority of land located to the east of Buckland village bounded by Harrisville, Logan, Jamieson and Golding Roads.

5.2 Buckland village is a small township of approx. 1,173 people² which straddles the boarder between the Auckland and Waikato regions. The more urban area of the village is located within Auckland and has been included within the

² 2018 Census

Pukekohe-Paerata Structure Plan Area (2019). This structure plan proposes that a series of urban zones including Single House, Mixed Housing Suburban and Light Industry are applied to Buckland village. The application of these zones mean that Buckland will effectively become part of the Pukekohe Metropolitan Centre. This is illustrated by the snip below from the Pukekohe-Paerata Structure Plan map (blue arrow is pointing to Buckland):

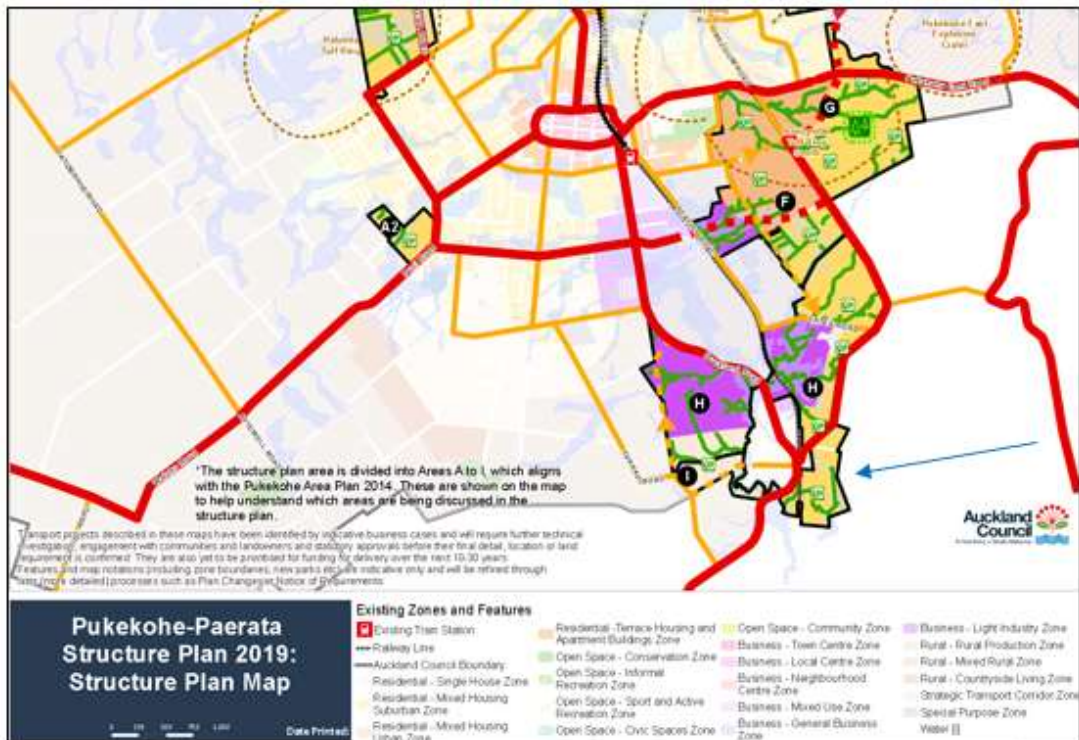


Figure 1 Structure Plan Map showing Buckland Village relative to Pukekohe centre

5.3 The area to the east of Buckland village (which is within the Waikato region) is characterised by the lifestyle block type development that occurred on the outskirts of urban areas in the 1980's and onwards. Therefore, it has a more open landscape than urban areas but does not have the expansive landscape of the wider rural environment. Furthermore, the fragmentation that has occurred means that there are some productive uses but there are also many other activities occurring such as horse training, race tracks and truck storage. These activities are further commented on in the statements from Buckland residents attached to Mr Craig Forrester's evidence. The lack of productive uses is highlighted at a crude level by the aerial photo below which shows large areas being cropped all around Pukekohe, but a lack of such activity on the Subject Land:



Figure 2 Aerial Photo from Auckland Council Geomaps 2011

5.4 As a first up impression from a planning perspective, I consider the challenge for this area to be creating a transition between what will be an intensive urban environment around Buckland village proper (within the Auckland region) and the wider countryside area. This is a cross-territorial boundary issue.

5.5 A further challenge is that the fragmented nature of the land means that it is not ideally suited to a rural zone but equally the open, landscape means that it is not ideally suited to an urban zone.

6. RELIEF SOUGHT

6.1 The submission lodged on behalf of the Buckland Land Owners Group sought that a 450ha area of land to the east of Buckland Village be zoned Countryside

Living (as opposed to Rural) in the PWDP. The area proposed to be zoned Countryside Living is shown below (this map is also contained in Appendix 1):

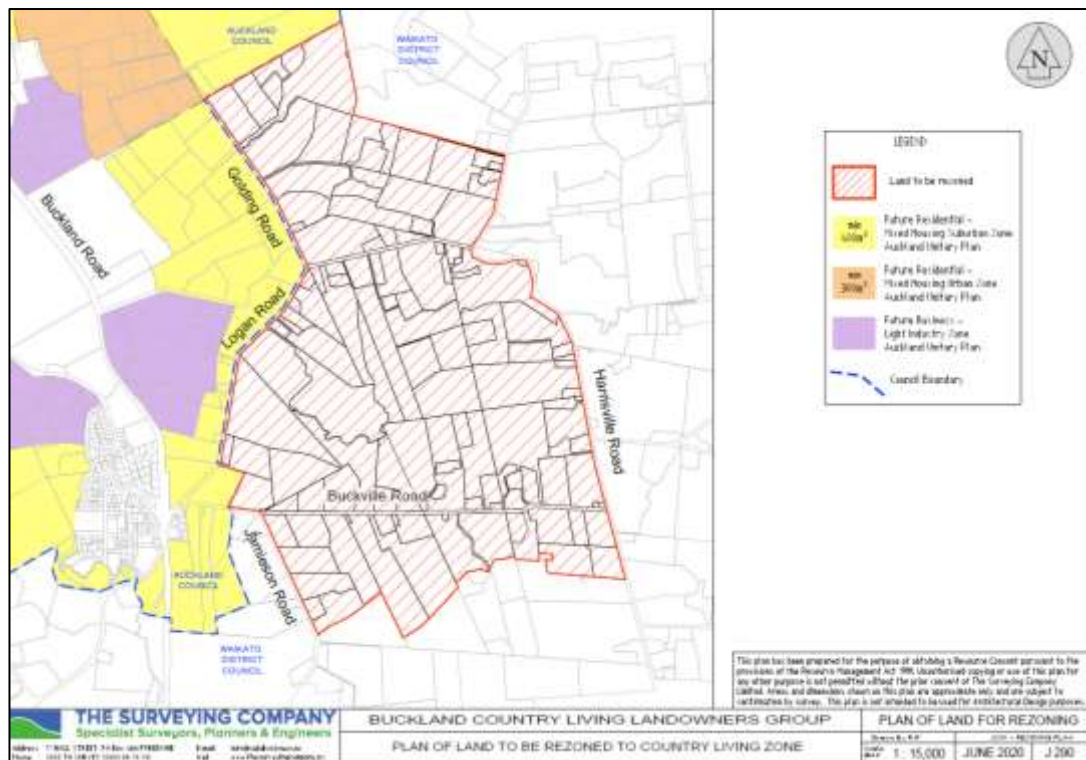


Figure 3 Land sought to be zoned Countryside Living

- 6.2** If the Panel was not minded to approve Countryside Living zone on the above land, then it is sought that the area identified above become a receiver area for Transferable Development Rights (TDR). Being identified as a receiver area will also promote a countryside living type of environment albeit that it is contingent on the protection and enhancement of an ecological area in the wider rural environment.
- 6.3** I note that I have read and support the evidence that Shane Hartley presented to Hearing 18: Rural. In particular I support Mr Hartley's recommended minimum site size of 4000m² and a minimum average of 6000m². I consider that such standards would be appropriate for the subject land.
- 6.4** Where the following sections of this evidence refers to the Countryside Living zone, the same comments equally apply to TDR given that they will both promote the creation of rural-residential development.

7. MERITS OF THE RELIEF SOUGHT

7.1 The Framework Report by Dr Mark Davey sets out a '3 lens' assessment to be undertaken as part of a proposal to zone land. The required assessment (understandably) focuses on the statutory tests and technical planning elements. While I agree that statutory tests and technical planning elements are important, it is also useful to step back and consider the merits of the relief sought. This is undertaken below:

(a) Interface between Urban and Rural

As identified above, the land proposed to be zoned Countryside Living is located on the eastern edge of Buckland village. The Pukekohe-Paerata Structure Plan has proposed a series of urban zones be applied to Buckland village, in time this will result in urban development with a density of 1:400m² (or greater) opposite land zoned Rural. This is likely to create all sorts of reverse sensitivity issues between intensive residential development and rural activities such as spraying, truck movements and noise from machinery and tractors.

The proposed Countryside Living zone will mitigate against these reverse sensitivity effects by placing rural-residential development on this interface. In effect, the Countryside Living zone will create a transition between the urban and rural environments.

(b) Provide Housing Choice

District plans seeks to enable a variety of house types. In Auckland, the variety in house types has a large focus on creating urban typologies e.g. terrace housing, apartments, duplex, mixed-use developments and stand-alone dwellings. In Waikato, the focus needs to shift towards providing a range of more rural typologies starting with large farm blocks, moving to smaller lifestyle blocks and finally to rural-residential development.

This proposal will increase the supply of rural-residential style development.

(c) Efficient Use of Land

In my view, it is prudent planning to increase the supply of smaller rural-residential style development opportunities as compared to larger lifestyle block type development (1-20ha). This is because small sized rural-residential development results in a more efficient use of land. In this regard, I note the evidence of Mr Adam Thompson which identifies that over a 10 year period 880-1760ha of rural production land could be retained in rural use by adopting rural-residential development instead of larger lifestyle/productive blocks.

(d) Demand

The evidence of Mr Adam Thompson also indicates that there has been approximately 2100 new dwellings consented in rural areas in the last 10 years. This indicates significant demand for living in rural areas.

It is incumbent of district plan processes such as this to take account of such demand and channel it into areas and locations where potential adverse effects can be avoided or mitigated against. Otherwise there will be unintended and perverse consequences such as people purchasing larger scale productive land and only using it for lifestyle purposes.

This proposal represents an appropriate location to channel such demand given the proximity to the services and infrastructure in Buckland and Pukekohe and the fact that this land has already been compromised with large amounts of fragmentation. In my view, it is preferable to make more efficient use of this compromised land than to be forced into providing rural-residential style development in an uncompromised location.

(e) Providing for Activities that Support Rural Production

Activities which support rural production have tended to locate in rural-residential areas as these activities need a land holding which is bigger than an urban site but is smaller than a rural block. Examples of these

activities are contained in the evidence of Mr McCowan and include fertilizer spreaders, fencing contractors, silage, hay and cropping contractors, well drillers, hedge cutters and earthworks contractors.

The proposed Countryside Living zone will provide a “home” for these important activities which is close to their client base, has sufficient land area and has a land cost which is viable for the business. The proximity of the land to Buckland and Pukekohe will also enable children and other family members to have easy to community facilities and schooling.

(f) Economic Benefits

The creation of rural-residential lots, the building of houses on them and their on-going use will have economic benefits for the region. Notably, Mr Adam Thompson identifies that the rural-residential development would result in a net present value generated from the construction and habitation of rural-residential homes of \$471-943 million over a 40 year period.

8. LENS 1: ASSESSMENT OF RELEVANT OBJECTIVES AND POLICIES IN THE PWDP

8.1 The Framework Report identifies that the ‘starting point’ for a zone assessment is to evaluate the proposal against the relevant objectives and policies in the PWDP.

Relevant Objectives and Policies	Assessment
Growth occurs in defined growth areas (1.5.2(a)).	The Framework Report states that “defined growth areas” are ‘urban environment’ zones under the PWDP (p64). As the Subject Site is zoned Rural it is not within the ‘urban environment’ as per the Framework Report, although it is noted that there is no actual definition of urban environment in the PWDP.

Relevant Objectives and Policies	Assessment
	<p>The fact that the site is not within the urban environment as per the Framework Plan, is not an issue as this objective is an example of an objective which is intended to be applied when the plan is operative and is being implemented i.e. in the resource consent process.</p> <p>I also consider that it is up to <u>this</u> submissions and hearings process to define the “growth areas” and the “urban and rural environments”, it is not the PWDP that does that.</p> <p>The Peer review by David Hill also highlights that zones in the PWDP have not always been applied through an in-depth process. In this context, it seems inappropriate to give undue weight to the zones applied in the PWDP and their relationship with the objectives and policies.</p>
<p>Urban development takes place within areas identified for the purpose in a manner which utilizes land and infrastructure most efficiently 1.12.8(b)(i).</p>	<p>The proposed Countryside Living zone will provide for increased development density in an appropriate location given that the Subject Site is located directly <u>adjacent</u> to the existing Buckland settlement. This location and the density of development sought will ensure that the land will be used efficiently.</p>
<p>Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. 1.12.8(b)(ii)</p>	<p>The proposal to zone the Subject Site to Countryside Living will consolidate urban development around the existing Buckland settlement. In particular, it will create an effective transition between the urban environment in the Auckland region and the rural areas within the Waikato region.</p>
<p>Focus urban growth in existing urban communities that have capacity for expansion. 1.12.8(b)(iii).</p>	<p>There is an existing community at Buckland. The proposed Countryside Living zone will be located such that future residents will have easy access (2km) to the amenities in Buckland and Pukekohe.</p>

Relevant Objectives and Policies	Assessment
Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic and environmental significance (1.12.8(b)(vi)).	There are Significant Natural Areas located on the Subject Land. This overlay will not be affected by applying the Countryside Living zone.
Future settlement pattern consolidated in and around existing towns and villages in the district in 'defined growth areas'. 1.5.1(b); 1.12.3(a);1.12.3(c); 4.1.2(a); 5.3.8.	<p>This proposal will consolidate development 'around' the existing village of Buckland and the metropolitan centre of Pukekohe.</p> <p>The proposal is not located in a 'defined growth area' but this is not considered to be significant for the reasons outlined above.</p>
Urban growth areas are consistent with Future Proof Strategy for Growth 2017 4.1.3(b)	<p>The Settlement Pattern contained within the Future Proof Strategy 2017 does not identify a Residential Growth Node at Buckland in the Settlement Pattern. This is because the Future Proof Strategy is a high level/regional document and therefore does not provide guidance on small settlements/villages such as Buckland.</p> <p>Notwithstanding that Buckland is not specifically mentioned within the Future Proof Strategy, the proposal is consistent with the overarching principles within the document:</p> <ul style="list-style-type: none"> • The Key Targets in the strategy seek that “approximately” 80% of growth in the Waikato District will be in Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and <u>various villages</u>”. Buckland is a village; • The Key Assumptions about the Sub-Region identify that “additional capacity is provided in the northern Waikato towns to meet anticipated demand as well as the influence of Auckland”; • The guiding principles seek to encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential

Relevant Objectives and Policies	Assessment
	<p>development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.</p> <p>Overall, it is considered that proposal is consistent with the overarching principles of the Future Proof Strategy.</p>
<p>Infrastructure can be efficiently and economically provided (4.1.3(a)).</p>	<p>As the land to be zoned adjoins the existing settlement it is considered that infrastructure should be able to be provided efficiently and economically. Notwithstanding, sites within the proposed Countryside Living zone are required to be self-sufficient in terms of water, wastewater and stormwater.</p>
<p>Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space (4.1.5(a))</p>	<p>Whilst the Countryside Living zone is not “higher density” housing, it will none the less result in a higher density of people living in close proximity to Buckland village and Pukekohe. This is a positive outcome as residents will have good access to community facilities and other infrastructure.</p>
<p>(a) Subdivision, use and development within the rural environment where:</p> <p>(i) High class soils are protected for productive rural purposes;</p> <p>(ii) Productive rural activities are supported, while maintaining or enhancing the rural environment;</p> <p>(iii) Urban subdivision use, productive rural activities are supported and development in the rural</p>	<p>The area of land proposed to be zoned Countryside Living does contain high class soils however there are very limited productive uses occurring due to the existing fragmentation of the land.</p> <p>Existing productive activities will be able to continue under the Countryside Living zone.</p> <p>This is an example of an objective that is intended to apply in the implementation of the plan rather than the formulation of the plan. The extent of the rural environment needs to be determined in the process and then the objective applied to future resource consents.</p>

Relevant Objectives and Policies	Assessment
environment is avoided. 5.1.1(A)(i)(ii)(iii); 5.3.8)	
Rural character and amenity are maintained (5.3.1(a) and 5.3.4(a)(b)).	The rural character and amenity will be maintained through the minimum lot size requirements in the Countryside Living zone and the averaging approach the submitters are seeking.
<p>Effects on rural character and amenity from rural subdivision:</p> <p>(a) Protect productive rural areas by directing urban forms of subdivision, use and development to within the boundaries of towns and villages;</p> <p>(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas;</p> <p>(c) Ensure subdivision, use and development minimize the effects of ribbon development;</p> <p>(e) Subdivision, use and development opportunities ensure that rural character and amenity values are maintained;</p> <p>(f) Subdivision use and development ensures the effects on public infrastructure are minimised. (5.3.8(a)(b),(c),(e),(f)).</p>	<p>The proposal will result in some development occurring on areas of high class soils, however this is not considered to be an issue in this instance given that the land is already fragmented.</p> <p>There are no key areas of open space in close proximity to the Subject Land. Rural character and amenity will be addressed through the minimum lot size requirements of the Countryside Living zone.</p> <p>Development on the land to be zoned Countryside Living will consolidate development around the existing Buckland village rather than creating ribbon development.</p> <p>As identified above, rural character and amenity will be maintained by the minimum lot size of the Countryside Living zone.</p> <p>The Countryside Living zone requires sites to be self-sufficient in terms of water, wastewater and stormwater. Therefore the only impact on public infrastructure will be cars using the road network. This will need to be addressed as part of any consent but is unlikely to be any more impactful than use by trucks servicing rural activities.</p>

Relevant Objectives and Policies	Assessment
Meets district wide rules and any relevant overlays.	<p>The only overlay applying to the site in the PWDP is the gas pipeline, this will need to be factored into the detailed design of any subdivision.</p> <p>Other district wide rules such as earthworks will also need to be factored into the detailed design of any subdivision.</p>

8.2 Overall, I consider that the proposed Countryside Living zone will uphold the above objectives and policies for the following reasons:

- It will consolidate growth around the existing Buckland village and will therefore help to create a compact form of development and enable community facilities to be used efficiently. It is acknowledged that Countryside Living is not a “growth” zone, but it nonetheless provides for more housing development at (1:5000m² min lot size) as compared to the Rural zone (1:40ha);
- Providing an increased housing density around Buckland Village will contribute to the Future Proof target of 80% of growth in the Waikato occurring in key towns and villages;
- The Countryside Living zone will provide an effective transition or buffer between the wider rural environment and the urban development occurring at Buckland;
- Whilst the proposal will facilitate subdivision on land with High Class Soils, this is not considered to be inappropriate in this instance given that the land is already so fragmented it is unlikely to be used for a productive purpose.

9. LENS 2: CONSISTENCY WITH HIGHER ORDER POLICY DOCUMENTS AND STRATEGIES

9.1 The second step of the 3 Lens approach set out in the Framework Report is to assess the proposal against the relevant higher order documents, namely the National Policy Statement - Urban Development 2020 (NPS-UD) and the WRPS. I consider that this is the most important ‘lens’ in the ‘3 lens’ assessment as Sections 74 and 75 of the Resource Management Act 1991 requires district

plans to give effect to any National Policy Statement and any operative regional policy statement.

- 9.2** These higher order documents are best assessed in a 'top down' fashion given that the higher level documents direct those that follow rather than the other way around. This approach is confirmed in the King Salmon decision.

National Policy Statement - Urban Development

- 9.3** The NPS-UD requires district plans provide sufficient residential and business development capacity. While I note that Buckland is not an "urban environment" as per the definition in the NPS-UD as set out below, it is nonetheless relevant to consider how this proposal will contribute to the overall supply of residential housing in the district.

- 9.4** In this regard, I note that the report from Clive Morgan to Waikato District Council on 14 December 2020 identifies that between 7,400-8,700 additional households are required in the next 10 years. This proposal will respond to that demand by providing for housing in a location and form where it is sought after and makes efficient use of infrastructure and community facilities in nearby Buckland and Pukekohe.

Waikato Regional Policy Statement

- 9.5** The key provisions of the WRPS that are relevant to this proposal are those relating to rural-residential development. When reviewing the provisions relating to rural-residential development, the first point to note is that rural-residential development is expected to occur and that district plans are required to include provisions to manage such development. This is confirmed in Policy 6.17 and Method 6.17.1 which states that the Waikato District Council shall include provisions in the PWDP which manage rural-residential development. Notably the provisions require management of rural-residential development, not avoidance of rural-residential development. Policy 6.17 and Method 6.17.1 are set out below:

Policy 6.17 Rural-residential development in Future Proof area

The relevant objectives are:
3.2 Resource use and development
3.3 Decision making
3.12 Built environment

Management of rural-residential development in the Future Proof area will recognise the particular pressure from, and address the adverse effects of, rural-residential development in parts of the sub-region, and particularly in areas within easy commuting distance of Hamilton and:

- a) the potential adverse effects (including cumulative effects) from the high demand for rural-residential development;
- b) the high potential for conflicts between rural-residential development and existing and planned infrastructure and land use activities;
- c) the additional demand for servicing and infrastructure created by rural-residential development;
- d) the potential for cross-territorial boundary effects with respect to rural-residential development; and
- e) has regard to the principles in section 6A.

Implementation methods

6.17.1 District plan provisions and growth strategies

Waipa District Council and Waikato District Council shall include provisions in district plans and growth strategies to give effect to Policy 6.17. This will include strictly limiting rural-residential development in the vicinity of Hamilton City.

Explanation

Policy 6.17 establishes a policy framework for managing development in the Waikato region, including the Future Proof area. Policy 6.17 recognises that there are particular pressures for rural-residential development in parts of the Future Proof area, particularly near Hamilton City. Methods 6.17.1 and 6.17.3 recognise that these pressures need to be managed through district plan provisions. Method 6.17.2 recognises that an individual agency's decisions about rural-residential development and infrastructure can impact on the interests of other agencies, and that a collaborative approach is needed to minimise conflicts. **Not managing rural-residential development would undermine the objectives of Future Proof.**

- 9.6 It is also noted that the WRPS also contemplates that TDR's could be used to promote rural-residential development.

6.17.3 Directing development to rural-residential zones

Waipa District Council and Waikato District Council should investigate, and shall consider adopting through district plans, provisions such as transferable development rights which will allow development to be directed to rural-residential zones identified in district plans.

6.1.10 Economic instruments

Territorial authorities should investigate and implement as appropriate, economic instruments which could help to direct rural-residential development to locations identified in the district plan for rural-residential development.

- 9.7 Having established that rural-residential development is to be provided for, the next step is to determine where such development should occur. In this regard, Policy 6.1.5 indicates that rural-residential development should occur in

“identified” areas. I consider that applying the Countryside Living zone or identifying the area as a receiver location for TDR’s would give effect to this policy.

9.8 More specific guidance as to the location of rural-residential development is given in policy 6.1.5 which seeks to direct such development away from natural hazard areas, regionally significant industry, high class soils, primary production activities, electricity transmission corridors and significant mineral resources. The only area identified above which is relevant to this proposal is high class soils as there are high class soils spread throughout the area proposed to be zoned Countryside Living.

9.9 Whilst I agree locating rural-residential development on an area of high class soils is not ideal, I consider that it is acceptable in this instance given that the subject land is already significantly fragmented which means that even though the soil is good it is unlikely to be used for widespread productive uses because the sites are not of a size to facilitate this. I consider that this approach is consistent with Method 14.2.1 which states that urban and rural-residential development shall be restricted on high class soils – meaning that it can occur in appropriate circumstances. This view is further confirmed by the explanation below:

Explanation

Waikato region contains about one quarter of New Zealand’s high class soils, making them a significant national resource within the region. High class soils are inherently highly productive for a wide range of purposes not always possible on other class soils. They are a finite resource.

Policy 14.2 recognises that many of the region’s high class soils are in or around urban areas and are consequently under pressure from urban expansion and **infrastructure** development. Using high class soils for urban development pushes agricultural activities onto more marginal soils. This has the potential to increase adverse environmental effects and necessitates greater inputs, such as fertiliser and water, to maintain production than would have been required on high class soils. It is desirable, therefore, that district plans recognise the importance of restricting use of high class soils for uses other than primary production purposes or, in situations where only high class soils are available, that Class III soils are used in preference to Classes I and II.

It is not the intention of Policy 14.2 or its methods to prevent all urban development on high class soils. However, it is expected that, in order to ensure development is appropriate, it would be subject to a comprehensive planning process such as district plan review, structure plan or growth strategy prior to any re-zoning. In addition, Chapter 6 includes further guidance on avoiding fragmentation of high class soils.

9.10 I also consider that while it not ideal to locate rural-residential development on an area of high class soils, it is preferable to locate rural-residential development

in an area which is already fragmented and thereby avoid pressure to locate rural-residential development in an uncompromised area of High Class Soil. In essence, I am promoting a management system rather than an avoidance system.

9.11 Further guidance on the location of rural-residential development is set out in Policy 6.17 in paragraph 9.4 above. With reference to the 4 criteria in this policy I note:

- (a) This proposal will help to manage the potential effects of rural-residential development by locating such development in an area which is already compromised and thereby avoiding the need for rural-residential to occur in an uncompromised area;
- (b) Locating rural-residential development in the area identified will not conflict with any planned infrastructure or land use activities, in fact it will avoid conflict as it will provide a separation between the wider rural environment and the planned urban development within the Auckland region;
- (c) The proposal will not create additional demand for servicing given that Countryside Living sites are self-sufficient in terms of water, wastewater and stormwater;
- (d) As identified in (b) above, the proposal will help manage cross-territorial boundary effects by providing a low density buffer between rural and urban activities;
- (e) The specific principles in Section 6A relating to rural residential development have been had regard to in the table below. The general principles are assessed in a table contained in Appendix 2 to this evidence:

Development Principles New rural-residential development should:	Assessment
Be more strongly controlled where demand is high	The northern Waikato is an area of high demand for rural-residential as it is in close proximity to Auckland. It is appropriate to provide a Countryside Living location in this area of high demand so as to relieve pressure and avoid the need for rural-residential in a

Development Principles New rural-residential development should:	Assessment
	less appropriate location i.e. the wider rural environment.
Not conflict with foreseeable long-term needs for expansion of existing urban centres	The Pukekohe-Paerata Structure Plan has provided for the foreseeable long term growth requirements in the area.
Avoid open landscapes largely free of urban and rural-residential development	This landscape is already contains pockets of rural-residential development.
Avoid ribbon development and, where practicable, the need for additional access points and upgrades along significant transport corridors and other arterial routes;	This proposal will consolidate development around the existing Buckland village rather than enabling ribbon development.
Recognize the advantages of reducing fuel consumption by locating near employment centres or near current or likely future public transport routes;	Pukekohe is a large employment centre located close by this will reduce fuel consumption.
Minimise visual effects and effects on rural character such as through locating development within appropriate topography and through landscaping;	The relatively flat topography means that the development on the subject land will not be overly visible or obtrusive.
Be capable of being serviced by on-site water and waterwater unless services are to reticulated	The 5000m ² minimum lot size means that there is sufficient room to ensure on-site servicing.
Be recognized as a potential method for protecting sensitive areas such as small water bodies, gully systems and areas of indigenous biodiversity	Identifying the land as a receiver site for TDR's is an example of rural-residential development protecting sensitive areas.

9.12 In addition to the principles in Section 6A, Policy 6.1.8 sets out a list of information that must be provided as part of the application of a zone to a site/land. This information list is provided in Appendix 3 to this evidence.

9.13 The final aspect of the WRPS that is relevant to this proposal relates to achieving an integrated approach to development as set out in Policy 4.1. Policy 4.1 states as follows:

Policy 4.1 Integrated approach

An integrated approach to resource management will be adopted that:

- a) **recognises the inter-connected nature of natural and physical resources (including spatially and temporally) and the benefits of aligning the decisions of relevant management agencies across boundaries;**

9.14 I consider that applying Countryside Living zone to the subject land is an example of giving effect to Policy 4.1 as it recognizes that a buffer or separation needs to occur between the urban activities in the Auckland region and the rural activities in the Waikato region.

9.15 Overall, this proposal is a practical way of giving effect to the requirements of the WRPS as it provides for and manages rural-residential development in an appropriate location. Furthermore, it also gives effect to the policy seeking integrated management across the boundary with the Auckland region.

Other Documents - Growth Strategies

9.16 There are two growth strategies that have been prepared to manage growth in the Waikato region. These strategies do not have the same status as the WRPS as they are not RMA documents. As such, they are documents that must be “had regard to”, rather than be “given effect to”.

9.17 The first strategy to have regard to is the Future Proof Strategy 2017. Buckland is not identified in the Future Proof document as a growth area with urban limits. This is because it is too small to be included in a regional growth document. Nonetheless, the proposed Countryside Living Zone is consistent with the overarching principles of the strategy for the following reasons:

- The Key Targets in the strategy seek that “approximately” 80% of growth in the Waikato District will be in Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and various villages”. Buckland is a village;
- The Key Assumptions about the Sub-Region identify that “additional capacity is provided in the northern Waikato towns to meet anticipated demand as well as the influence of Auckland”;

- The guiding principles seek to encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.

9.18 The second strategy is Waikato 2070 which was approved in 2020. This strategy also seeks a compact form of development and includes a series of development plans. There is no development plan for Buckland, however this does not mean that Countryside Living is not a good idea or that it should not happen, it simply means that the submitter was not part of the Waikato 2070 process.

10. LENS 3: PLANNING BEST PRACTICE

10.1 The third and final step of the ‘3 Lens’ approach requires an assessment of the proposed rezoning against a range of matters that relate to ‘planning best practice’. This assessment is undertaken in the table below:

Planning Best Practice Issues	Assessment
Economic costs and benefits are considered	The Section 32 assessment including in Appendix 4 of this evidence outlines the costs and benefits associated with the proposed Countryside Living zone.
Changes take into account the issues debated in recent plan changes	There are no plan changes that raise any issues that are relevant to this proposal.
Changes to zone boundaries are consistent with the maps in the plan that show overlays or constraints e.g. hazards	The gas pipeline traverses the subject land but this not considered to be impactful on the application of zone boundaries. There are also some isolated pockets of Significant Natural Area, again this is an overlay that sits over the top of the zone and therefore is not impactful on the application of zone boundaries. Furthermore, the Hearings Report on behalf of the Council has recommended that the SNA’s identified in the proposed plan are to be removed unless they have been ground truthed.

Planning Best Practice Issues	Assessment
Changes take into account features of the site (where it is, what the land is like, what it is used for and what is already built there).	The sites within the proposed Countryside Living zone are used for a variety of purposes. These include a single dwellings, multiple dwellings, a race track, equestrian ring and small scale productive activities.
Zone boundary changes recognise the availability, or lack of, major infrastructure.	Lots in the Countryside Living zone are self-sufficient in terms of water, wastewater and stormwater and therefore the availability of infrastructure is not an issue. The close proximity of this land to Pukekohe (a Metropolitan Centre) means that future residents of the Countryside Living zone will have ready access to community facilities and transport infrastructure such as the railway line.
There is adequate separation between incompatible land uses e.g. houses not next to heavy industry	The application of the Countryside Living zone will <u>provide</u> the necessary separation between rural activity and urban activity. Without this separation you could have intensive urban activities such as terrace housing opposite rural activities with
Zone boundaries need to be clearly defensible	<p>The zone boundary has been aligned to include almost all properties that will be located opposite or adjoining land it intended to have an urban zone within the Auckland region. This will create an urban/Countryside Living interface which is appropriate.</p> <p>The outer extent of the zone has been aligned to Harrisville Road which will help to create a clear demarcation between the Countryside Living zone and the wider rural environment. It is noted that the western side of Harrisville Road is used for larger scale cropping activities.</p>
Zone boundaries follow property boundaries	The proposed zone boundaries will follow property boundaries.
Generally, no “spot zoning”	The proposed Countryside Village zone will not create a spot zone as it will apply over an extended area rather than be limited to one isolated location.

Planning Best Practice Issues	Assessment
Zoning takes into account existing resource consents and existing use rights, but this does not determine zoning.	There are no existing resource consents for specific activities that are relevant to this proposal.

10.2 I consider that the assessment made in the table above can equally relate to the application of a receiver site for TDR.

10.3 Overall, the proposal is considered to meet the ‘best planning practice’ guidance as the extent of the proposed Countryside Living zone / TDR receiver overlay e has been carefully thought out to reflect the characteristics of the area, to provide a transition between urban and rural environments and to consolidate development around the existing Buckland village and Pukekohe in general.

11. SECTION 32 ANALYSIS

11.1 Appendix 4 to this evidence contains an analysis of the proposal in accordance with Section 32 of the Resource Management Act (and in accordance with the template contained in the Framework Report). This analysis identifies that the most appropriate rezoning option is to apply the Countryside Living zone to the subject land.

The basis for this conclusion is that this proposal takes land which is currently fragmented (average density of 3.6ha) and proposes to use it more efficiently. The consequence of the more efficient use is that it will provide more housing choice, help to meet housing demand, provides a transition between urban and rural environments and provide for activities which support the wider rural environment.

12. CONCLUSIONS

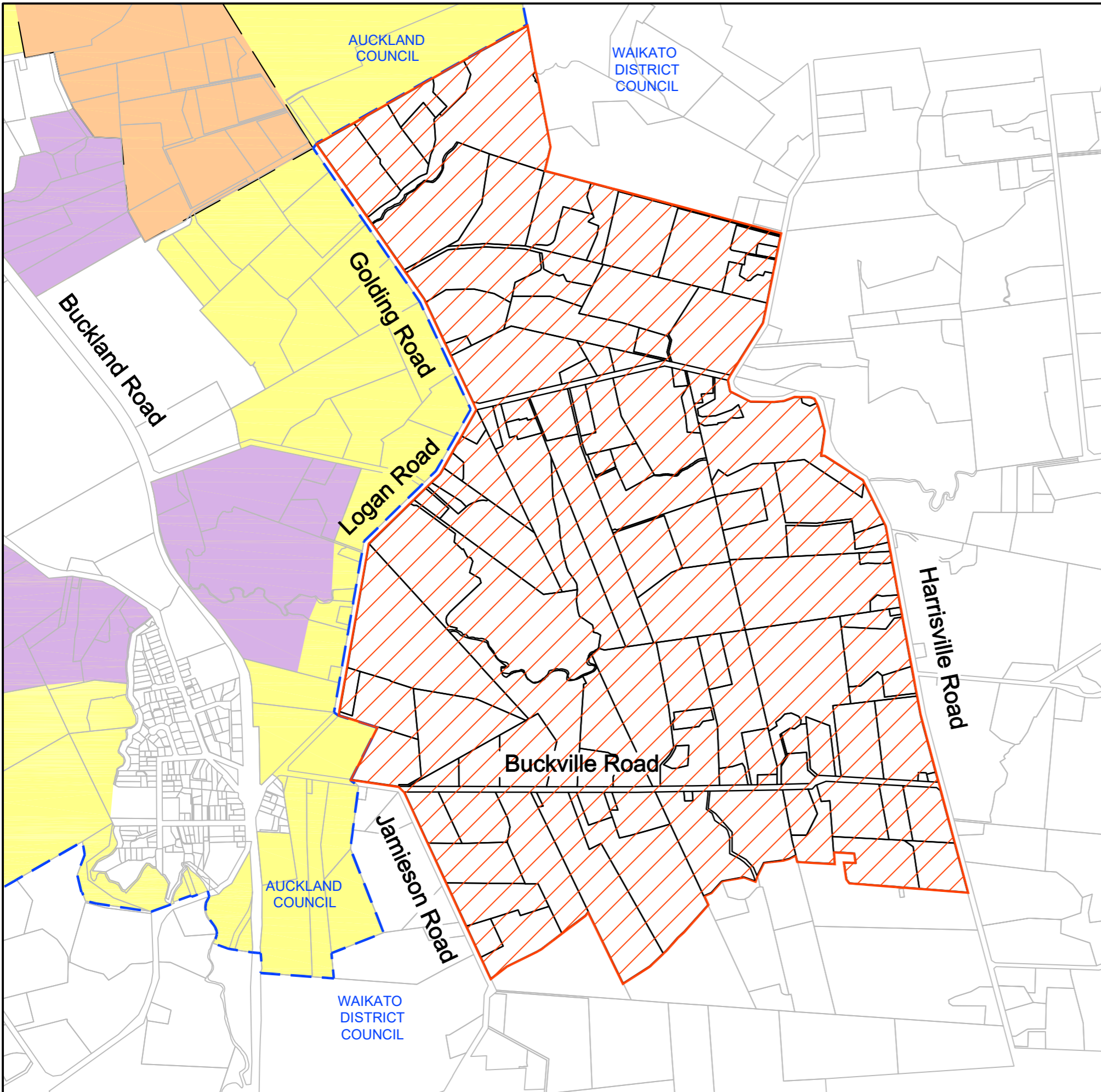
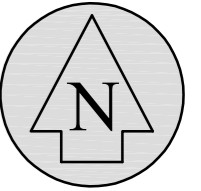
12.1 The ultimate question for this hearing is to determine if the Rural zone (as included in the PWDP) is the most appropriate zone for the subject land or if the land should be zoned Countryside Living or in the alternative become a receiver location for TDR.

12.2 I am of the view that the Countryside Living zone / receiver area for TDR is the most appropriate outcome as it will enable a more efficient use of this land, provide a transition between the planned urban environment at Buckland village and the wider rural environment and will satisfy the requirement to provide for and manage rural-residential development.


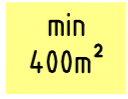
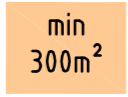


SARAH NAIRN

17 February 2021

APPENDIX 1



LEGEND

	Land to be rezoned Approx. 450ha
	Future Residential - Mixed Housing Suburban Zone Auckland Unitary Plan
	Future Residential - Mixed Housing Urban Zone Auckland Unitary Plan
	Future Business - Light Industry Zone Auckland Unitary Plan
	Council Boundary

This plan has been prepared for the purpose of obtaining a Resource Consent pursuant to the provisions of the Resource Management Act 1991. Unauthorised copying or use of this plan for any other purpose is not permitted without the prior consent of The Surveying Company Limited. Areas and dimensions shown on this plan are approximate only and are subject to confirmation by survey. This plan is not intended to be used for Architectural Design purposes.

APPENDIX 2

Development Principles	Assessment
New development should:	
support existing urban areas in preference to creating new ones;	This proposal supports the existing Buckland settlement rather than creating a new one.
occur in a manner that provides clear delineation between urban areas and rural areas;	The use of Harrisville Road as the zone boundary will ensure a clear delineation between the Countryside Living and the wider rural environment. Equally the use of Golding and Logan Roads as a zone boundary will ensure a clear delineation between the urban environment and the Countryside Living Environment.
make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;	This proposal provides for development around an existing urban area as opposed to a new greenfield area.
not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;	This proposal will not compromise the operation of any existing or planned infrastructure.
connect well with existing and planned development and infrastructure;	The close proximity to the Metropolitan Centre of Pukekohe will ensure that there are good connections with existing and planned development and infrastructure.
identify water requirements necessary to support development and ensure the availability of the volumes required	Lots within the Countryside Living zone need to be self-sufficient in terms of water.
be planned and designed to achieve the efficient use of water	As lots within the Countryside Living zone need to be self-sufficient in terms of water this inherently ensures that water is used efficiently.
be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as	As identified above, the land proposed to be zoned Countryside Living is does have areas of high class soils. Whilst development of

Development Principles New development should:	Assessment
likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;	these areas would not normally be appropriate it is acceptable in this instance due to the fact that the land is already fragmented which prevents wide spread productive activities on the land.
<p>promote compact urban form, design and location to:</p> <ul style="list-style-type: none"> i) minimise energy and carbon use; ii) minimise the need for private motor vehicle use; iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport iv) encourage walking, cycling and multi-modal transport connections; and v) maximise opportunities for people to live, work and play within their local area; 	The proposal will create a compact form of development as it will consolidate growth and development around Pukekohe. As Pukekohe is a metropolitan centre residents of the Countryside Living zone will have ready access to good transport connections including the rail line.
maintain or enhance landscape values and provide for the protection of historic and cultural heritage;	The limited size of the land to be zoned Countryside Living will maintain the wider rural landscape.
promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;	Whilst there are areas of SNA within the area proposed to be zoned Countryside Living, the protection of these areas will remain unchanged by applying a different zone.
maintain and enhance public access to and along the coastal marine area, lakes, and rivers;	Not relevant.
avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);	The development design of any future subdivision proposal will need to take the hydrological characteristics of the land into account.

Development Principles New development should:	Assessment
adopt sustainable design technologies,	It will be up to the design of the subdivision and future houses to adopt sustainable design technologies.
not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure	This proposal will avoid incompatible land uses as it will provide a separation between urban and rural activities.
be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;	The land is well separated from the coast and as such is unlikely to be affected by climate change.
consider effects on the unique tāngata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tāngata whenua connections within an area should be considered;	Tangata whenua values are important and will be considered as part of the detailed design process.
support the Vision and Strategy for the Waikato River in the Waikato River catchment	On-site mitigations measures will be put in place to ensure that the works on the site do not have adverse effects on the Waikato River catchment.
encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and	Efficient design and construction methods can be adopted or included as part of the subdivision design or works on-site.
recognise and maintain or enhance ecosystem services	The SNA provisions will recognize and protect ecosystems.

APPENDIX 3

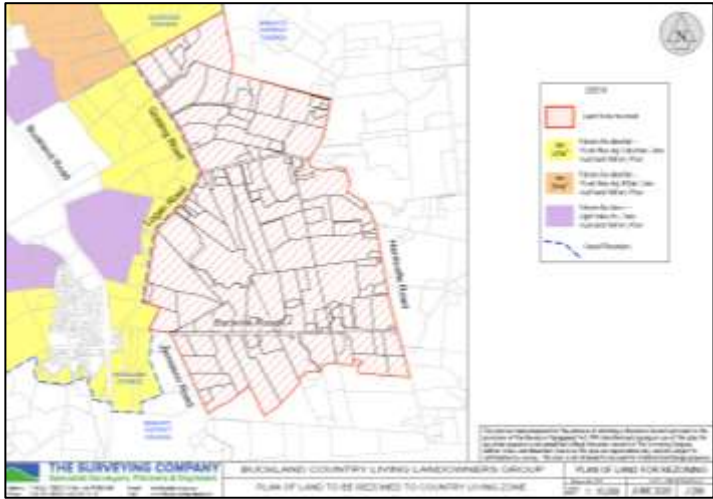
Information required by Implementation Method 6.1.8	Assessment
The type and location of land uses (including residential, industrial, commercial and recreational land uses, and community facilities where these can be anticipated) that will be permitted or provided for, and the density, staging and trigger requirements.	The proposed Countryside Living zone will provide for residential lots with an average (subject to the adoption of the averaging approach previously presented to the Panel in the Middlemiss submissions and evidence in the Rural Hearings) size of 5000m ² .
The location, type, scale, funding and staging of infrastructure required to service the area.	As lots/dwellings in the Countryside Living zone need to be self-sufficient in terms of water, wastewater and stormwater there is no need for significant investment in public infrastructure.
Multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced.	Development within the Countryside Living zone will have easy access to Pukekohe centre and the transport links within in. This includes the rail line.
How existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, high class soils and significant view catchments) will be managed.	<p>The area to zoned Countryside Living contains areas of High Class Soils. Future subdivision of this land is not considered to be inappropriate in this instance given that the land is already fragmented.</p> <p>The SNA's identified on the Subject will not be impacted upon by applying the Countryside Living zone.</p>
Potential natural hazards and how the related risks will be managed.	There are no identified natural hazards relating to this land.
Potential issues arising from the storage, use, disposal and transport of hazardous substances in	It is not anticipated that any issues will arise relating to hazardous substances.

Information required by Implementation Method 6.1.8	Assessment
the area and any contaminated sites and describes how related risks will be managed.	
How stormwater will be managed having regard to a total catchment management approach and low impact design methods.	The management of stormwater will be factored into the detailed design of any future development on the land to be rezoned.
Any significant mineral resources (as identified through Method 6.8.1) in the area and any provisions (such as development staging) to allow their extraction where appropriate.	No significant mineral resources have been identified on the site.
How the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has been recognised and provided for.	Consideration to the cultural values could be incorporated into the detailed design process.
Anticipated water requirements necessary to support development and ensure the availability of volumes required, which may include identifying the available sources of water for water supply.	The water supply demands will be determined through the detailed design process which will be undertaken at a later date.
How the design will achieve the efficient use of water;	The efficient use of water on the will be factored into the detailed design of future development.
How any locations identified as likely renewable energy generation sites will be managed.	The land to be rezoned is not a location identified for a renewable energy generation site.
The location of existing and planned renewable energy generation and consider how these areas and existing and planned urban development will be managed in relation to one another.	There is no existing or planned renewable energy sources in the area.
The location of any existing or planned electricity transmission network or national grid corridor and how development will be managed in relation to that network or corridor, including how sensitive activities will be avoided in the national grid corridor.	There are no transmission lines traversing the subject land.

APPENDIX 4 – SECTION 32

S32 Evaluation – BUCKLAND COUNTRYSIDE LIVING ZONE

Table 1: Zoning Proposal

<p>The specific provisions sought to be amended</p>	<p>Assessment of the efficiency and effectiveness of the provisions in achieving the objectives of the Proposed Waikato District Plan (PWDP)</p>
<p>The zoning proposal</p>	<p>This proposal seeks to zone a 450ha piece of land adjoining Buckland village Countryside Living or alternatively identify the land as a receiver area for Transferable Development Rights. The comments made in this analysis relate to both items of relief given that they both enable rural-residential style development. The land proposed to be rezoned is shown below:</p>  <p>Figure 1 Land to be zoned Countryside Living/TDR receiver area</p>

<p>Relevant objectives of the PWDP</p>	<p>The relevant objectives and policies in the PWDP are the Strategic Objectives set out in 1.12.8 and the objectives relating the Countryside Living zone. The objectives of the Rural zone have also been considered given that this is the zone applied in the PWDP.</p> <p>The Strategic Objectives are set out below:</p> <p>1.12.8 Strategic objectives</p> <p>(a) The matters set out in paragraphs 4.1.1 – 4.1.7 provide the overarching directions for the development of the objectives, policies and other provisions within the district plan.</p> <p>(b) In summary, the overarching directions include the following:</p> <ul style="list-style-type: none"> (i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently. (ii) Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. (iii) Focus urban growth in existing urban communities that have capacity for expansion. (iv) Plan for mixed-use development in suitable locations. (v) Encourage community collaboration in urban growth decisions (vi) Protect and enhance green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance <p>The proposal achieves the above objectives in an efficient and effective manner as it will provide for growth in an existing urban community that has capacity for expansion. Furthermore:</p> <ul style="list-style-type: none"> • The proposal will utilise the existing infrastructure effectively, in particular residents of the Countryside Living zone will have easy access to the community infrastructure in Pukekohe and Buckland • The proposal will enhance the quality of the urban environment as it will provide a connection between the existing residential and the school; • The proposal will not impact on any open space or areas of environmental significance.
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The Strategic Objective 4.1.1 and 4.1.2 state:

4.1.1 Objective – Strategic

- (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.
- (b) National Policy Statement on Urban Development Capacity Minimum Targets.

The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

Area	Minimum Targets (number of dwellings)		
	Short to Medium 1-10 years (2017-2026)	Long term 11-30 years (2027-2046)	Total
Waikato District	7,100	12,300	19,400

4.1.2 Objective – Urban growth and development

- (a) Future settlement pattern is consolidated in and around existing towns and villages in the district.

The proposal is consistent with the above objectives as consolidates development around the existing village of Buckland. This growth will contribute to meeting the minimum targets for urban development capacity.

The objectives of Countryside Living zone are set out below:

5.6 Country Living Zone

5.6.1 Objective – Country Living Zone

- (a) Subdivision, use and development in the Country Living Zone maintains or enhances the character and amenity values of the zone.

The proposal will accord with the above objective of the Countryside Living zone as subdivision and development will maintain the character of the area, particularly through the use of minimum lot size provisions and the assessment criteria.

The relevant objectives of the Rural zone are set out below:

5.1.1 Objective – The rural environment

Objective 5.1.1 is the strategic objective for the rural environment and has primacy over all other objectives in [Chapter 5](#).

- (a) Subdivision, use and development within the rural environment where:
 - (i) high class soils are protected for productive rural activities;
 - (ii) productive rural activities are supported, while maintaining or enhancing the rural environment;
 - (iii) urban subdivision, use and development in the rural environment is avoided.

5.2 Productive Versatility of Rural Resources

5.2.1 Objective - Rural resources

- (a) Maintain or enhance the:
 - (i) Inherent life-supporting capacity and versatility of soils, in particular high class soils;
 - (ii) The health and wellbeing of rural land and natural ecosystems;
 - (iii) The quality of surface fresh water and ground water, including their catchments and connections;
 - (iv) Life-supporting and intrinsic natural characteristics of water bodies and coastal waters and the catchments between them.

5.3 Rural Character and Amenity

5.3.1 Objective - Rural character and amenity

- (a) Rural character and amenity are maintained.

The proposal is an effective and efficient means of giving effect to the above objectives as it avoids urban development on land containing high class soils and/or a productive rural activity – the proposal provides for rural-residential rather than urban development. Furthermore, rural character and

	<p>amenity will be maintained through the use of minimum lot size. Whilst the proposal will result in subdivision of land with high class soils, this is not considered to be significant in this instance as the land is already fragmented and therefore is not well suited to productive use.</p> <p>As a result of the assessment above, the proposed zoning is an effective and efficient means of achieving the objectives of the PWDP as the proposed zoning will provide for growth and consolidation around Buckland village and as the proposal will enable rural-residential development that will protect the rural character and amenity of the area.</p>
<p>Scale and significance of the zoning proposal</p>	<p><u>Scale and significance of proposal</u></p> <p>Whilst the area to be zoned Countryside Living is relatively large the proposal is considered to be of local significance rather than regional significance. It is relevant to note that the land will still be considered to be in the rural environment, notwithstanding the change in zone.</p> <p><u>Higher order documents</u></p> <p>The Higher-order documents that are relevant to this proposal are the National Policy Statement on Urban Development (NPS-UD) and the Waikato Regional Policy Statement (WRPS). These higher order documents are best assessed in a ‘top down’ fashion given that the higher level documents direct those that follow rather than the other way around.</p> <p><u>National Policy Statement - Urban Development</u></p> <p>While I note that Buckland is not an “urban environment” as per the definition in the NPS-UD as set out below, it is nonetheless relevant to consider how this proposal will contribute to the overall supply of residential housing in the district.</p>

In this regard, I note that the report from Clive Morgan to Waikato District Council on 14 December 2020 identifies that between 7,400-8,700 additional households are required in the next 10 years. This proposal will respond to that demand by providing for housing in a location and form where it is sought after and makes efficient use of infrastructure and community facilities in nearby Buckland and Pukekohe.

Waikato Regional Policy Statement

The key provisions of the WRPS that are relevant to this proposal are those relating to rural-residential development. When reviewing the provisions relating to rural-residential development, the first point to note is that rural-residential development is expected to occur and that district plans are required to include provisions to manage such development. This is confirmed in Policy 6.17 and Method 6.17.1 which states that the Waikato District Council shall include provisions in the PWDP which manage rural-residential development. Notably the provisions require management of rural-residential development, not avoidance of rural-residential development. Policy 6.17 and Method 6.17.1 are set out below:

Policy 6.17 Rural-residential development in Future Proof area

The relevant objectives are:

- 3.2 Resource use and development*
- 3.3 Decision making*
- 3.12 Built environment*

Management of rural-residential development in the Future Proof area will recognise the particular pressure from, and address the adverse effects of, rural-residential development in parts of the sub-region, and particularly in areas within easy commuting distance of Hamilton and:

- a) the potential adverse effects (including cumulative effects) from the high demand for rural-residential development;
- b) the high potential for conflicts between rural-residential development and existing and planned infrastructure and land use activities;
- c) the additional demand for servicing and infrastructure created by rural-residential development;
- d) the potential for cross-territorial boundary effects with respect to rural-residential development; and
- e) has regard to the principles in section 6A.

Implementation methods

6.17.1 District plan provisions and growth strategies

Waipa District Council and Waikato District Council **shall** include provisions in district plans and growth strategies to give effect to Policy 6.17. This will include strictly limiting rural-residential development in the vicinity of Hamilton City.

Explanation

Policy 6.17 establishes a policy framework for managing development in the Waikato region, including the Future Proof area. Policy 6.17 recognises that there are particular pressures for rural-residential development in parts of the Future Proof area, particularly near Hamilton City. Methods 6.17.1 and 6.17.3 recognise that these pressures need to be managed through district plan provisions. Method 6.17.2 recognises that an individual agency's decisions about rural-residential development and infrastructure can impact on the interests of other agencies, and that a collaborative approach is needed to minimise conflicts. **Not managing rural-residential development would undermine the objectives of Future Proof.**

It is also noted that the WRPS also contemplates that TDR's could be used to promote rural-residential development.

6.17.3 Directing development to rural-residential zones

Waipa District Council and Waikato District Council should investigate, and shall consider adopting through district plans, provisions such as transferable development rights which will allow development to be directed to rural-residential zones identified in district plans.

6.1.10 Economic instruments

Territorial authorities should investigate and implement as appropriate, economic instruments which could help to direct rural-residential development to locations identified in the district plan for rural-residential development.

Having established that rural-residential development is to be provided for, the next step is to determine where such development should occur. In this regard, Policy 6.1.5 indicates that rural-residential development should occur in "identified" areas. I consider that applying the Countryside Living zone or identifying the area as a receiver location for TDR's would give effect to this policy.

More specific guidance as to the location of rural-residential development is given in policy 6.1.5 which seeks to direct such development away from natural hazard areas, regionally significant industry, high class soils, primary production activities, electricity transmission corridors and significant mineral resources. The only area identified above which is relevant to this proposal is high class soils as there are high class soils spread throughout the area proposed to be zoned Countryside Living.

Whilst I agree locating rural-residential development on an area of high class soils is not ideal, I consider that it is acceptable in this instance given that the subject land is already significantly fragmented which means that even though the soil is good it is unlikely to be used for widespread productive uses because the sites are not of a size to facilitate this. I consider that this approach is consistent with Method 14.2.1 which states that urban and rural-residential development shall be restricted on high class soils – meaning that it can occur in appropriate circumstances. This view is further confirmed by the explanation below:

Explanation

Waikato region contains about one quarter of New Zealand's high class soils, making them a significant national resource within the region. High class soils are inherently highly productive for a wide range of purposes not always possible on other class soils. They are a finite resource.

Policy 14.2 recognises that many of the region's high class soils are in or around urban areas and are consequently under pressure from urban expansion and **infrastructure** development. Using high class soils for urban development pushes agricultural activities onto more marginal soils. This has the potential to increase adverse environmental effects and necessitates greater inputs, such as fertiliser and water, to maintain production than would have been required on high class soils. It is desirable, therefore, that district plans recognise the importance of restricting use of high class soils for uses other than primary production purposes or, in situations where only high class soils are available, that Class III soils are used in preference to Classes I and II.

It is not the intention of Policy 14.2 or its methods to prevent all urban development on high class soils. However, it is expected that, in order to ensure development is appropriate, it would be subject to a comprehensive planning process such as district plan review, structure plan or growth strategy prior to any re-zoning. In addition, Chapter 6 includes further guidance on avoiding fragmentation of high class soils.

I also consider that while it not ideal to locate rural-residential development on an area of high class soils, it is preferable to locate rural-residential development in an area which is already fragmented and thereby avoid pressure to locate rural-residential development in an uncompromised area of High Class Soil. In essence, I am promoting a management system rather than an avoidance system.

Further guidance on the location of rural-residential development is set out in Policy 6.17 in paragraph 9.4 above. With reference to the 4 criteria in this policy I note:

- (a) This proposal will help to manage the potential effects of rural-residential development by locating such development in an area which is already compromised and thereby avoiding the need for rural-residential to occur in an uncompromised area;
- (b) Locating rural-residential development in the area identified will not conflict with any planned infrastructure or land use activities, in fact it will avoid conflict as it will provide a separation between the wider rural environment and the planned urban development within the Auckland region;
- (c) The proposal will not create additional demand for servicing given that Countryside Living sites are self-sufficient in terms of water, wastewater and stormwater;
- (d) As identified in (b) above, the proposal will help manage cross-territorial boundary effects by providing a low density buffer between rural and urban activities;
- (e) The specific principles in Section 6A relating to rural residential development have been had regard to in the table below. The general principles are assessed in a table contained in Appendix 2 to this evidence:

Development Principles New rural-residential development should:	Assessment
Be more strongly controlled where demand is high	The northern Waikato is an area of high demand for rural-residential as it is in close proximity to Auckland. It is appropriate to provide a Countryside Living location in this area of high demand so as to relieve pressure and avoid the need for rural-residential in a less appropriate location i.e. the wider rural environment.
Not conflict with foreseeable long-term needs for expansion of existing urban centres	The Pukekohe-Paerata Structure Plan has provided for the foreseeable long term growth requirements in the area.
Avoid open landscapes largely free of urban and rural-residential development	This landscape is already contains pockets of rural-residential development.
Avoid ribbon development and, where practicable, the need for additional access points and upgrades along significant transport corridors and other arterial routes;	This proposal will consolidate development around the existing Buckland village rather than enabling ribbon development.
Recognize the advantages of reducing fuel consumption by locating near employment centres or near current or likely future public transport routes;	Pukekohe is a large employment centre located close by this will reduce fuel consumption.

Minimise visual effects and effects on rural character such as through locating development within appropriate topography and through landscaping;	The relatively flat topography means that the development on the subject land will not be overly visible or obtrusive.
Be capable of being serviced by on-site water and waterwater unless services are to reticulated	The 5000m ² minimum lot size means that there is sufficient room to ensure on-site servicing.
Be recognized as a potential method for protecting sensitive areas such as small water bodies, gully systems and areas of indigenous biodiversity	Identifying the land as a receiver site for TDR's is an example of rural-residential development protecting sensitive areas.

In addition to the principles in Section 6A, Policy 6.1.8 sets out a list of information that must be provided as part of the application of a zone to a site/land. This information list is provided in Appendix 3 of this evidence.

The final aspect of the WRPS that is relevant to this proposal relates to achieving an integrated approach to development as set out in Policy 4.1. Policy 4.1 states as follows:

Policy 4.1 Integrated approach

An integrated approach to resource management will be adopted that:

- a) recognises the inter-connected nature of **natural and physical resources** (including spatially and temporally) and the benefits of aligning the decisions of relevant management agencies across boundaries;

I consider that applying Countryside Living zone to the subject land is an example of giving effect to Policy 4.1 as it recognizes that a buffer or separation needs to occur between the urban activities in the Auckland region and the rural activities in the Waikato region.

Overall, this proposal is a practical way of giving effect to the requirements of the WRPS as it provides for and manages rural-residential development in an appropriate location. Furthermore, it also gives effect to the policy seeking integrated management across the boundary with the Auckland region.

Other Documents - Growth Strategies

There are two growth strategies that have been prepared to manage growth in the Waikato region. These strategies do not have the same status as the WRPS as they are not RMA documents. As such, they are documents that must be “had regard to”, rather than be “given effect to”.

The first strategy to have regard to is the Future Proof Strategy 2017. Buckland is not identified in the Future Proof document as a growth area with urban limits. This is because it is too small to be included in a regional growth document. Nonetheless, the proposed Countryside Living Zone is consistent with the overarching principles of the strategy for the following reasons:

- The Key Targets in the strategy seek that “approximately” 80% of growth in the Waikato District will be in Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and various villages”. Buckland is a village;
- The Key Assumptions about the Sub-Region identify that “additional capacity is provided in the northern Waikato towns to meet anticipated demand as well as the influence of Auckland”;
- The guiding principles seek to encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.

The second strategy is Waikato 2070 which was approved in 2020. This strategy also seeks a compact form of development and includes a series of development plans. There is no development plan for Buckland, however this does not mean that Countryside Living is not a good idea or that it should not happen, it simply means that the submitter was not part of the Waikato 2070 process.

Change to anticipated outcomes

The given that the site is zoned Rural in the Operative Waikato District Plan, the expectation will be that this site is retained for rural use. However, the counter-balance to this expectation is that the PWDP and the relevant growth strategies all make it clear that growth can occur and is expected to occur around existing towns and villages.

	<p><u>Section 6</u></p> <p>There are no Section 6 matters which are relevant to this proposal. It is noted that there are identified Significant Natural Areas on the Subject land but these will be unaffected by the proposed Countryside Living zone.</p> <p><u>Transport</u></p> <p>Development within the Countryside Living zone will need to utilise the existing road network surrounding the area. Given the relatively low density of development, this is not expected to be impactful.</p> <p><u>Infrastructure</u></p> <p>As sites within the Countryside Living zone are self-sufficient in terms of water, wastewater and stormwater there is no impact on services.</p> <p><u>Future Development</u></p> <p>Auckland Council has indicated its intension to enable urban activities around the Buckland settlement. The Countryside Living zone will create a transition between these urban activities and the wider rural environment.</p>
<p>Other reasonably practicable options to achieve the objectives (alternative options)</p>	<p>Do Nothing: Retain the proposed Rural Zone</p> <hr/> <p>Alternative 1: Rezone the land Countryside Living/Identify the area as TDR receiver area.</p> <hr/> <p>Alternative 2: There are no other alternatives that can be considered given that the alternatives have to be limited to the scope of the submission.</p>

Table 2: Benefits and Costs Analysis of the Zoning Proposal

Zoning Proposal: Retain the Proposed Rural Zone		
	Benefits	Costs
General	The benefit of retaining the Rural zone over the whole site is that it will retain its rural/lifestyle block character.	Retaining the Rural zone over will mean that there will be no further opportunity to create rural residential lots. This will mean that there is no increase in housing choice, no economic benefits, no increased population in close proximity to Buckland and Pukekohe and less provision for those with activities which support rural production activities.
Environmental	If the Rural zone was retained it would result in a more open character.	There will no environmental cost to retaining the Rural zone.
Social	There is no social benefit to retaining the Rural zone over the whole site.	The social cost of retaining the Rural zone is that there would be no population growth which would contribute to growth in the community identity and social interaction.
Economic - General	Retaining the Rural zone would ensure the last pieces of land which are larger in size and have high	If the Rural zone is retained, the land will not be able to be developed which will have an economic cost to the landowner. It will also limit the

	<p>class soils will maintain their capacity to be economic units.</p>	<p>housing supply in the northern Waikato which could come at a cost to those wishing the purchase a house.</p> <p>The evidence of Adam Thompson makes specific reference to the economic benefits of rural-residential development.</p>
Economic Growth	<p>Retaining the Rural zone would ensure the last pieces of land which are larger in size and have high class soils will maintain their capacity to be economic units.</p>	<p>If the Rural zone is retained, the land will not be able to be developed which will have an economic cost to the landowner. It will also limit the housing supply in the northern Waikato which could come at a cost to those wishing the purchase a house.</p> <p>The evidence of Adam Thompson makes specific reference to the economic benefits of rural-residential development.</p>
Employment	<p>Retaining the Rural zone would ensure the last pieces of land which are larger in size and have high class soils will maintain their capacity to be economic units. This could have employment benefits.</p>	<p>If the Rural zone is retained the land will not be able to be developed for housing. Development of housing generates employment.</p>
Cultural	<p>There are no benefits from a cultural perspective from retaining the Rural zone.</p>	<p>There are no real costs to from a cultural perspective to retaining the Rural zone.</p>

Zoning Proposal: Countryside Living/TDR		
	Benefits	Costs
General		Overtime the remaining productive activities may move on. This will have an economic cost if they do not relocate somewhere nearby.
Environmental	Zoning the land Village will improved the quality of the environment as it will provide a connection between the residential and the school.	There will be a change in the pattern of development as rural-residential development enables a denser cadastral pattern. There will be construction effects but these will be temporary.
Social	There will be social benefits to zoning the land Village in that it will increase the number of people living in Mercer which will in turn increase the identity and vitality of the settlement and will increase the viability of the school.	There are no social costs to zoning the land Countryside Living.
Economic General	- There will be economic benefits to zoning the land Countryside Living as it will enable the land to be developed which will be of economic gain to the landowner. There will also be economic benefits for the retail and business activities given the increased catchment of people that they will serve. The increase in housing choice and availability will also be of economic benefit. Refer to the evidence of Adam Thompson.	Overtime the remaining productive activities may move on. This will have an economic cost if they do not relocate somewhere nearby.

Economic Growth	There will be economic benefits to zoning the land Countryside Living as it will enable the land to be developed which will be of economic gain to the landowner. There will also be economic benefits for the retail and business activities given the increased catchment of people that they will serve. The increase in housing choice and availability will also be of economic benefit. Refer to the evidence of Adam Thompson.	Overtime the remaining productive activities may move on. This will have an economic cost if they do not relocate somewhere nearby.
Employment	There will be employment benefits in terms of the construction of the housing to be located on the land.	There may be limited employment effects if the remaining productive activities move to a new location.
Cultural	It is unlikely that there will be benefits from a cultural perspective in zoning the land Village.	There is nothing to indicate that there will be costs from a cultural perspective in zoning this land Village.

Table 3: Evaluation of the Proposal

<p>Reasons for the selection of the preferred option</p>	<p>The preferred option is to rezone the land Countryside Living/receiver area for TDR. The reasons for selecting this option are set out in the conclusion below.</p>
<p>Extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA.</p>	<p>The proposal is the most appropriate way to achieve the objectives as it will consolidate development around the existing settlement. Development in this form is the Waikato Districts Council's means of achieving Sustainable Management given that it enables economic and social wellbeing at the same time and managing effects on the environment.</p>
<p>Assessment of the risk of acting or not acting if there is uncertain information about the subject matter of the provisions.</p>	<p>Given the limited size and scale of this land to be zoned Countryside Living there is no real risk in acting, especially as there are no areas of environmental significance except the SNA which will be unaffected by the zone change.</p> <p>There is a risk in not acting as it will mean that there will no provision for Mercer to expand.</p>
<p>Conclusion</p>	<p>Overall, this proposal represents a balanced planning approach which promotes a number of positive planning outcomes:</p> <p>(f) The proposed Countryside Living zone will create an appropriate interface between the urban activities (1;400m² lots) planned to occur in the Auckland region and the wider rural environment in the Waikato region.</p>

- (g) The proposal will help to provide housing choice within the rural environment in that it will provide a higher density option as compared to larger lifestyle blocks and large farm holdings.
- (h) The rural-residential form of development enabled by the Countryside Living zone will promote a more efficient use of land as compared to larger lifestyle blocks (1-20ha). The evidence of Mr Adam Thompson which identifies that over a 10 year period 880-1760ha of rural production land could be retained in rural use by adopting rural-residential development instead of larger lifestyle blocks.
- (i) The proposed Countryside Living zone will help to meet the demand for living in the rural environment which to date has seen 2100 dwellings constructed in the rural environment in the last 10 years³. It is incumbent on district plan processes such as this to take account of such demand and channel it into areas and locations where potential adverse effects can be avoided or mitigated against. Otherwise, there will be unintended and perverse consequences such as people purchasing larger scale productive land and only using it for lifestyle purposes. The areas to the east of Buckland is an appropriate location given the proximity to Pukekohe.

³ Evidence of Adam Thompson

	<p>(j) The proposed Countryside Living zone will provide a “home” for activities that support the rural environment such as fertilizer spreaders, fencing contractors, silage, hay and cropping contractors, well drillers, hedge cutters and earthworks contractors.</p> <p>(k) Mr Adam Thompson identifies that the rural-residential development would result in a net present value generated from the construction and habitation of rural-residential homes of \$471-943 million over a 40 year period.</p> <p>This balance of outcomes means that Sustainable Management can be achieved.</p>
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