

**BEFORE THE WAIKATO DISTRICT COUNCIL INDEPENDENT HEARING PANEL**

**IN THE MATTER** of Proposed Variation 3, under clause 16A of Schedule 1 of the Resource Management Act 1991, to the Proposed District Plan Change

**AND**  
**IN THE MATTER** of submissions by Greig Developments No 2 Limited and Harrisville Twenty Three Limited, Tuakau.

**To: The Hearings Co-ordinator  
Waikato District Council**

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**PRIMARY PLANNING EVIDENCE OF VANESSA ADDY FOR HARRISVILLE  
TWENTY-THREE LTD**

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*5 July 2023*

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## **MAY IT PLEASE THE PANEL**

### **1. INTRODUCTION AND SUMMARY**

- 1.1 This evidence is prepared on behalf of Harrisville Twenty Three Limited (**Harrisville**) and seeks that a 2.6ha area of land within the township of Tuakau is zoned as Medium Density Residential Standard (**MDRS**)/Medium Density Residential 2 Zone (**MDRZ 2**) through Variation 3 of the Proposed Waikato District Plan – Decisions Version (**PWDP-DV**). This outcome will enable a medium density residential development on the site.
- 1.2 Providing for medium density residential development in this location would enable a range of positive planning outcomes including:
- a) The proposed MDRZ 2 zone will be the most efficient use of scarce urban land resources in close proximity to the town centre of Tuakau. The site is within walking distance of approximately 350 - 450 metres. Therefore, the zone change will improve accessibility and transportation efficiencies of Tuakau by providing additional greenfield land in an optimal location for medium density residential activities.
  - b) The proposed relief will help to provide affordable housing choices within the urban environment and will provide a higher density option compared to large lot and rural lifestyle blocks.
  - c) The Harrisville submission relief will be an efficient use of valuable urban infrastructure capacity that can be readily developed given the site is fully serviced by Council's water and wastewater infrastructure.

- d) The medium density form of development enabled by the MDRZ 2 zone will promote a more efficient use of land as compared to large lot zone blocks of 2500m<sup>2</sup>. The Assessment of Economic Costs and Benefits report provided by Mr Adam Thompson identifies the importance of making sufficient land available for development to meet the capacity requirements of the National Policy Statement – Urban Development – 2020 (**NPS-UD**).
- e) Mr Thompson also highlights that multiple concurrent potential development options also accounts for owners that may not wish to develop and to ensure there are several developers supplying lots to the market at any one time over the period of the district plan. This is required to ensure a competitive land and development market as sought by the NPS-UD.
- f) The proposed medium density zone will help to meet the demand for living in the urban environment which will implement the Future Proof Strategy 2022. District Plan processes such as this need take account of future demand and channel it into appropriate locations that have the ability to connect to Council infrastructure with the least potential adverse effects. Intensification of urban land at higher densities should be encouraged within proximity of the Tuakau town centre to ensure that land supply requirements meet expected growth while preserving more productive soil resources.
- g) This proposal will help to increase the housing supply in Tuakau as required by the NPS-UD as it will directly respond to 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 Tuakau.

- h) The proposed MDRZ 2 will assist with the processing of an active subdivision consent application that has been based on Residential Zone density rather than the subject sites' current zoning density standards (Rural-residential Zone/Large Lot Zone). Subsequent approval of an updated resource consent to reflect the relief sought will provide much needed additional housing stock for Tuakau.
- i) In the Assessment of Economic Costs and Benefits, Mr Adam Thompson concludes that inclusion of the subject site for medium density development would have *“significant economic benefits and no significant economic costs, and therefore recommended for approval”*. It will contribute to housing choice, including in the affordability range, and will enable people to provide for their social and economic wellbeing and health and safety.

1.3 Most importantly, the proposal will give effect to the Waikato Regional Policy Statement (**WRPS**) as it provides for and manages residential development in an appropriate location.

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

- a) It will consolidate growth around the existing Tuakau town centre therefore helping to create a compact form of development and enable community facilities to be used efficiently;
- b) Providing an increased housing density around Tuakau will contribute to the Future Proof target of 90% of growth in the Waikato occurring in key towns and villages;
- c) It will achieve greater housing choice for the community in Tuakau in response to changing demographics and housing needs; and
- d) It will ensure an efficient use of land and infrastructure near the TCZ.

- 1.5 Overall, rezoning to MDRZ 2 has significant planning merit and will give effect to the NPS-UD. The current low-density development provided for does not meet the relevant statutory requirements including s32. MDRZ 2 will increase the stock of housing that is feasible and reasonably expected to be realised (refer to evidence of Mr Thompson), compact and affordable, and help achieve a well-functioning urban environment in Tuakau.

## **2. EXPERIENCE AND QUALIFICATIONS**

- 2.1 My full name is Vanessa Margaret Addy.
- 2.2 I am a Senior Planner at TSC in Pukekohe. I hold a Masters of Resource and Environmental Planning and Bachelor of Arts (majoring Geography and Education) from Massey University, Palmerston North.
- 2.3 I am an intermediate member of the NZPI and have met my CPD requirements of this level of membership.
- 2.4 My relevant professional experience spans over 17 years in both the private and public sectors in New Zealand and in Canada. I have been in my role at The Surveying Company for the last two and a half years. I have been involved in a number of subdivision and land use (Regional and District) consents for both urban and rural projects from both a processing and application perspective. My technical experience includes the preparation of statutory assessments and environment effects for predominantly and most recently resource consents. However, I have also been involved with Structure Plans, Plan Writing and a number of Notice of Requirements and Outline Plan approvals. In addition, I have prepared submissions and provided planning advice to submitters on the Proposed Waikato District Plan and other statutory and non-statutory planning documents.
- 2.5 Working in the urban and rural environment of Franklin and Waikato over the last 10 years, I have had a continuous association with both residential

and rural activities and have a thorough understanding of issues within both environments and its interface. Most recently 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.

2.6 In preparing this statement of evidence I have read the section 42A report prepared by Fiona Hill and Karin Lepoutre, the reporting officers for Waikato District Council.

2.7 I confirm that I have read the 'Expert Witnesses Code of Conduct' contained in the Environment Court of New Zealand Practice Note 2023. My evidence has been prepared in compliance with that Code in the same way as I would 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. SCOPE OF EVIDENCE**

3.1 This evidence is provided in support of the submission made by Greig Developments and Harrisville Twenty-Three Limited on Variation 3 of the Proposed Waikato District Plan (**PWDP**). My evidence will focus on the key planning issues relevant to rezoning. My evidence specifically addresses rezoning of land at 23A Harrisville Road to MDRS/MDRZ 2 through Variation 3.

3.2 My evidence addresses the following matters:

- a) Section 4 sets out the subject land, planning context;
- b) Section 5 sets out the assessment of merits of the relief sought, lot yield and housing demand;
- c) Section 6 sets out a summary of the s32 Analysis including the analysis of Qualifying Matters under Variation 3;

- d) Section 7 is an evaluation against the higher order policy documents;  
and
- e) Section 8 contains my conclusion.

3.3 In preparing this report we have relied on expert advice and evidence filed from:

- Adam Thompson – in relation to economic matters
- Robert Tisley Engineering – in relation to geotechnical matters
- Andrew Hunter – in relation to traffic matters
- Sally Peake – in relation to landscape matters
- Kelly Hayhurst – in relation to ecological matters
- Warren Boag – in relation to Three Waters and other infrastructure matters

3.4 Not submitted as evidence in this Hearing, but included as relevant additional appendices, the following input has been provided based on a previously proposed 14 Lot subdivision consent.

- a) **Appendix A - Archaeological Report** by Brent Druskovich for the proposed subdivision at 23 and 23A Harrisville Road, Tuakau.
- b) **Appendix B - Iwi Response Letter.**



## 4. SUBJECT LAND AND CONTEXT

### Subject Site and Planning Context

- 4.1 Harrisville Twenty-Three Limited owns the site at 23A Harrisville Road, Tuakau as shown below:



Figure 1 Aerial Photo of the Site at 23A Harrisville Road, Tuakau (source: GRIP)

- 4.2 The property is approximately 2.6 hectares, located within walking distance of approximately 350 – 450 metres from the CBD of Tuakau. The site is a vacant rear site in pasture with individual access to Harrisville Road. A stream flows towards the southwest along the northwest boundary of the property to a wetland located in the western corner of the site.
- 4.3 The site contains predominantly broad gently sloping ridge crests, with steeper slopes extending along the gully to the northwest of the property. Pine trees line the most of northwest boundary adjacent to the stream. The remainder of the land is covered in pasture and occasionally used for dry stock grazing.
- 4.4 The surrounding area to the east, north and south is residential housing ranging in size between approximately 650m<sup>2</sup>, 1000m<sup>2</sup> and 3500m<sup>2</sup>.

Land to the west is zoned Rural Residential and is mostly covered in vegetation.

- 4.5 In a planning context, the operative zoning for the subject site is Rural-Residential (Franklin Section) (having minimum lot sizes of 2500-8000m<sup>2</sup> with an average of no less than 3000m<sup>2</sup>) and under the PWDP-DV is zoned Large-Lot (having minimum lot sizes of 2500m<sup>2</sup>).

### **Resource Consents**

- 4.6 In October 2022, resource consent (regional and district) applications were lodged to subdivide the property to create fourteen (14) residential lots ranging in size from 1000m<sup>2</sup> – 3850m<sup>2</sup>. The development includes earthworks/land disturbance and stormwater discharge consents. The consent applications are with both the Waikato District Council and the Waikato Regional Council. The current, now parked, **Previous Subdivision Consent Plan** is attached as in **Appendix C**.
- 4.7 Technical reports undertaken in support of the subdivision/urbanisation of the land, are attached to the evidence of the expert witnesses listed above. It is noted that there is more detail in these reports, because they were prepared for a specific subdivision application, than would normally be provided for a zone change process.

### **Section 42A Assessment**

- 4.8 Paragraph 132 of the section 42A report states that the subject site rezoning request should not be supported as it is not a relevant residential zone. It also stated that evidence would need to be provided to support the relief sought and this planning evidence and the technical evidence filed, satisfies that request.
- 4.9 Counsel for Harrisville, Mr Fuller will address the statutory provisions and the planning law regarding the MDRS/MDRZ 2 relief sought. My evidence

focuses on the planning merits for the use of the site for medium density residential development.

- 4.10 It is understood, from informal discussions with Council officers, that there is some acknowledgement that the most appropriate planning outcome for the site is urban residential activity. Under the Amendment Act, and Variation 3, this would then be MDRZ 2.

### **PWDP Appeals**

- 4.11 The Harrisville site is subject to an appeal through relief from The Surveying Company appeal (ENV-2022-AKL-000086) on the PWDP-DV. That relief appealed Removal of Rule 24.4.2 Subdivision – Te Kowhai and Tuakau that enabled smaller lot sizes of 800m<sup>2</sup> for serviced Large Lot/Village zones.
- 4.12 Constructive pre-mediation discussions have been held with the Council about the best use of the Harrisville land and it is understood to be agreed in principle that because it is serviced, residential zoning is the most appropriate and efficient use of the land.
- 4.13 It is also understood from discussions that procedurally, it would be preferable to rezone the land to a residential zone through Variation 3 than to create bespoke plan provisions for this site to have higher densities though the wider The Surveying Company Appeal on the PWDP-DV. The Surveying Company has considered limiting the scope of its appeal to this site, on a “without prejudice” basis.
- 4.14 We have not yet reached any formal agreements with the Council on relief under the PWDP-DV appeals, and that relief is effectively “on hold” pending the outcome under Variation 3. Subject to the Council formal response in this Hearing, relief under Variation 3 as MDRS is understood to be the preferred option for this land to be developed for residential activities, which is the most appropriate land use outcome. The land is within a short walk

of the town centre and would be an efficient use of scarce urban land resources.

## **5. ASSESSMENT OF MERITS OF THE RELIEF SOUGHT**

5.1 In summary, the relief sought for the evidence that is presented below is to:

*Rezone 23A Harrisville Road to include the land as MDRS/Medium Density Residential 2 Zone through Variation 3 of the PWDP.*

5.2 There are several compelling aspects that form the basis for this property being able to absorb a more intensive subdivision development pattern than its underlining operative plan zoning and PWDP-DV zoning. In short these include;

- a) the ability to connect to full urban services;
- b) the convenient location of the property in close proximity to Tuakau's CBD;
- c) immediately surrounding activities in the area being residential in nature, and now proposed also to be MDRZ – 2, and therefore consistent with the relief sought; and
- d) housing demand in Tuakau.

5.3 Physical constraints including an unnamed stream (tributary of the Whakapipi Stream) forms a distinct boundary between the urban environment to the east/south and a rural environment to the north/west (refer to Landscape Evidence of Ms Peake). The subject site is considered to therefore fall within the urban catchment of Tuakau.

5.4 MDRZ 2 zoning is an efficient use of the urban land resource that is in close proximity to the town centre of Tuakau. The site is within walking distance of approximately 350 - 450 metres. The zone change will improve accessibility and transportation efficiencies of Tuakau by providing

additional greenfield land in an optimal location for medium density residential activities.

- 5.5 The site is serviced by Council's water and wastewater infrastructure. The Council should give high priority for the development of properties suitably located in areas that are able to utilise capacity in existing urban services. Reference is made to evidence provided by Mr Warren Boag stating that there would be sufficient capacity within the network to supply the additional lots/development platforms.
- 5.6 The proposal will help to provide housing choice within the urban environment in that it will provide a higher density option as compared to large lot and rural lifestyle blocks. The PWDP-DV seeks to enable a variety of house types creating a mix of urban typologies e.g. terrace housing, apartments, duplex, mixed-use developments and stand-alone dwellings. This outcome is supported, however current zoning has omitted the inclusion of this proximate site which has existing infrastructure servicing readily available and is most suitable for residential activities.
- 5.7 Providing the ability for the site to develop at a greater density than the current zoning will create residential growth within an appropriate area and directs this growth away from rural areas in the district. The rural areas of Tuakau contain versatile soils that are used for rural production activities. These soils contribute to both regional and national food supply. Intensification of urban land at higher densities should be encouraged within proximity of the Tuakau town centre to ensure that land supply requirements meet expected growth while preserving the soil resources from inappropriate development.
- 5.8 The optimisation of the sites residential development potential will future proof the capacity of land supply to avoid further encroachment into rural areas. Excluding the subject site from MDRZ 2 underutilises the land resource where intensifying the zoning in this location is more appropriate given its proximity to the town centre of Tuakau.

- 5.9 The current zoning fails to give effect to the Future Proof Strategy 2022 that focuses on accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton City and the larger settlements of the district, including Tuakau. This involves tighter control over rural-residential development through encouraging greater urban densities in existing settlements. In respect to this strategy, the exclusion of the subject site as MDRZ 2 is an inefficient use of a scarce and valuable urban land resource.
- 5.10 The factors outlined above provide a logical basis for the inclusion of the Harrisville land as a site available for medium density development under the MDRS 2 zoning.

#### **Lot Yield and Housing Demand**

- 5.11 The estimated lot yield change based on a zone change would increase from seven (7) lots (Rural-Residential/Large Lot Zoning) to approximately twenty-five (25) developable platforms (MDRZ 2 zoning), being eighteen (18) additional lots/developable platforms. Refer to the **MDRZ 2 Concept Plan** enclosed within **Appendix D**. The lot yield for the MDRZ 2 is based on ultimate lot sizes of 350m<sup>2</sup> - 450m<sup>2</sup> and some larger lots, and only utilising areas of land that does not present unfavourable contours.
- 5.12 The difference in lot yield between the current proposed subdivision consent layout proposing fourteen (14) lots (refer to the Previous Subdivision Consent Plan enclosed within **Appendix C**) and the potential yield under MDRS 2 zoning having twenty-five (25) developable platforms is eleven (11) additional lots/developable platforms.
- 5.13 An Assessment of Economic Costs and Benefits has been prepared by Mr Adam Thompson (Economic and Property Research). In his report, Mr Adam Thomson notes that the inclusion of the subject land as MDRZ 2 will also help support housing capacity to meet demand for the Tuakau township (and wider district). And further, that the subject site will provide

additional centralised greenfield land which will ensure a competitive land and development market sought by the NPS-UD. The report concludes that inclusion of the subject site for medium density development would have *“significant economic benefits and no significant economic costs, and therefore recommended for approval”*.

- 5.14 This proposal will help to increase the housing supply in Tuakau as required by the NPS-UD as it will directly 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 Tuakau.

## 6. SECTION 32 ANALYSIS - SUMMARY

- 6.1 The site presents physical constraints that will influence the lot yield potential. There is an existing unnamed stream bordering the northwest boundary, a wetland at the southwest corner of the site. The site falls in topography (steeply in some locations) towards these waterbodies and therefore the contour of the site greatly influences its development potential. A statement on the geotechnical matters with respect to the subject site has been provided by Tisley Engineering Limited.

- 6.2 As a requirement under **s32 Assessment** of the RMA a cost/benefit analysis report has been prepared for the site, this is attached as **Appendix E**. The analysis outlined three potential options for the site;

1) status quo;

2) inclusion of the subject site as MDRZ 2 as outlined in Variation 3 being Residential Zone; and

3) inclusion of the subject site as addressed in 2) and include a Qualifying Matter – Natural Character of the waterbodies and their margins.

- 6.3 The evaluation concluded that the proposed changes under Option 3 is the best practicable option and most appropriate way to achieve the requirements of the NPS-UD. However, Option 2 (MDRZ 2) was also preferred to Option 1 (current zoning) if there were to be no Qualifying Matter.
- 6.4 A proposed zone change will ensure the subject land can be developed to an optimal density making efficient use of infrastructure that is available while effectively ensuring that the natural features of the site appropriately protected and topographical considerations are appropriately managed.

## **7. HIGHER ORDER POLICY DOCUMENTS**

- 7.1 It is necessary to provide an assessment of the proposed rezoning against the relevant higher order documents, namely the NPS-UD and the WRPS. This is an important evaluation given 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.
- 7.2 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

- 7.3 The NPS-UD requires district plans provide sufficient residential and business development capacity. The subject site is within an “urban environment” as per the definition in the NPS-UD and it is therefore relevant to consider how this proposal will contribute to the overall supply of residential housing in the district.
- 7.4 In this regard, I note that the Assessment of Economic Costs and Benefits Report prepared by Mr Adam Thompson identifies that *‘there is an estimated shortfall of 13,750 houses able to be supplied in the sub*



*\$730,000 bracket'. And that 'by contrast, there is an estimated surplus of 7,710 dwellings able to be supplied in the \$730,000+ price bracket'.*

7.5 Mr Thompsons summaries his analysis stating that:

*"While there is a notable amount of greenfield land proposed for residential development in Tuakau, it is important to have a range of land available for development, to account for specific owners that may not wish to develop, and to ensure there are several developers supplying lots to the market at any one time over the life of the district plan. This is required to ensure a competitive land and development market as sought by the NPS-UD".*

7.6 This proposal will help to increase the housing supply in Tuakau as required by the NPS-UD as it will directly 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 Tuakau.

7.7 The intent of the NPS-UD is to increase housing supply in Tier 1 and 2 Local Authorities (Waikato is Tier 1). This proposal achieves that intent by enabling 18 additional residential lots/developable platforms. The ease of access to infrastructure connections and proximity to the town centre means that the site can be developed without delay.

7.8 The other intent of the NPS-UD is that residential development should occur in the context of a "well-functioning urban environment" (Objective 1 and Policy 1 of the NPS-UD). This means that development should occur in a way which is logical, efficient and ensures that residents have a high level of amenity. Applying the MDRZ 2 zone to this land will meet these criteria given:

- a) It is within a walkable catchment being 350-450m from the town centre providing residents easy access to retail, transport, schools and other services.

- b) It develops land that immediately adjoins existing residential development that is within the MDRZ 2 zone and therefore has immediate access to infrastructure and other amenities.
- c) Future residents on the subject land will have a high level of amenity given the proximity to the town centre, community facilities, natural and open spaces (given the stream and wetland environment to the west).

### Waikato Regional Policy Statement

7.9 The WRPS promotes the sustainable management of the Waikato region's natural and physical resources and identifies the resource management issues facing the region and the methods to achieve the integrated management of these resources across the region. Plan Change 1 to the WRPS was notified on 18 October 2022 seeking to incorporate the requirements of the NPS-UD and to align with recent changes to the Future Proof Strategy. These changes included a revised urban form and development chapter to ensure that the WRPS is giving effect to the NPS-UD.

7.10 I agree that Variation 3 generally gives effect to the WRPS through the inclusion of policies to enable medium density residential outcomes and enable growth in a manner that ensure sustainable infrastructure provision. Inclusion of the subject site as MDRZ 2 will directly give effect to the WRPS as it provides for and manages residential development in an appropriate location.

### Other Documents - Growth Strategies

7.11 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".

7.12 The first strategy to have regard to is the Future Proof Strategy 2022. Tuakau is identified in the Future Proof document as a growth area with urban limits. The inclusion of the subject site as MDRZ 2 is consistent with the overarching principles of the strategy and will meet the key targets for the following reasons:

- a) That “*approximately 90% of growth in the Waikato District will be in Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and various villages*”. Inclusion of the subject site as MDRZ 2 will assist in enabling this target.
- b) That “*approximately 20 % of growth within urban environments will be within existing parts of the townships, preferably in areas close to centres and current and future public transport stops*”. Given the optimal location of this subject site within central Tuakau, inclusion as MDRZ 2 zone will assist in enabling this target.

7.13 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. The proposal will directly support this strategy by providing land in close proximity to the town centre, readily able to connect to infrastructure and with the ability to enable housing choice that includes higher density options.

## **8. CONCLUSION**

8.1 The ultimate question for this hearing is to determine if the Large Lot zone (as included in the PWDP-DV) is the most appropriate zone for the subject land or if the land should be zoned MDRZ 2 zoning through Variation 3.

8.2 In my opinion MDRZ 2 for the Harrisville site has planning merit. Medium density development is the most appropriate landuse outcome. It will enable a more efficient use of this valuable urban land resource, utilizes

existing infrastructure capacity, and would provide affordable housing choices to meet housing demand for the people of Tuakau.

- 8.3 Approval of the relief sought, is the most appropriate method to satisfy s32 of the RMA and give effect to the NPS-UD and the WRPS. It will achieve a well-functioning urban environment and enable the people of Tuakau to provide for their social and economic wellbeing, and for their health and safety. Houses are a fundamental human need and providing more homes will increase the overall benefits to society and promote sustainable management.

**Vanessa Addy**

*5 July 2023*

**APPENDIX A – ARCHAEOLOGICAL REPORT**

# **Harrisville Twenty Three Limited**

## **Archaeological Assessment of the Proposed Subdivision at 23 and 23a Harrisville Road, Tuakau**



**December 2022**

FOR : The Surveying Company  
BY : Brent Druskovich - MA(Hons), BCom.  
Consultant Archaeologist

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## 1. INTRODUCTION

Harrisville Twenty Three Ltd are intending to subdivide 23 and 23a Harrisville Road, Tuakau (Figure 1). Brent Druskovich, Consultant Archaeologist, has been engaged by them through The Surveying Company (TSC) to provide an archaeological assessment of the property.

The archaeological survey has been requested by Ngati Tamaoho Trust who through their representative Edith Tuhimata have been consulted during consultation for the subdivision with Mana Whenua. The archaeological assessment has also been requested by both Waikato Regional Council and Waikato District Council.

The land is largely undeveloped farmland (Plate 1) with the exception of a residential property on 23 Harrisville Road, the proposal is to remove the house and create a road to access the subdivision behind (Figure 1).



**Plate 1. 23a Harrisville Road, the upper slopes looking towards Tuakau Township.**



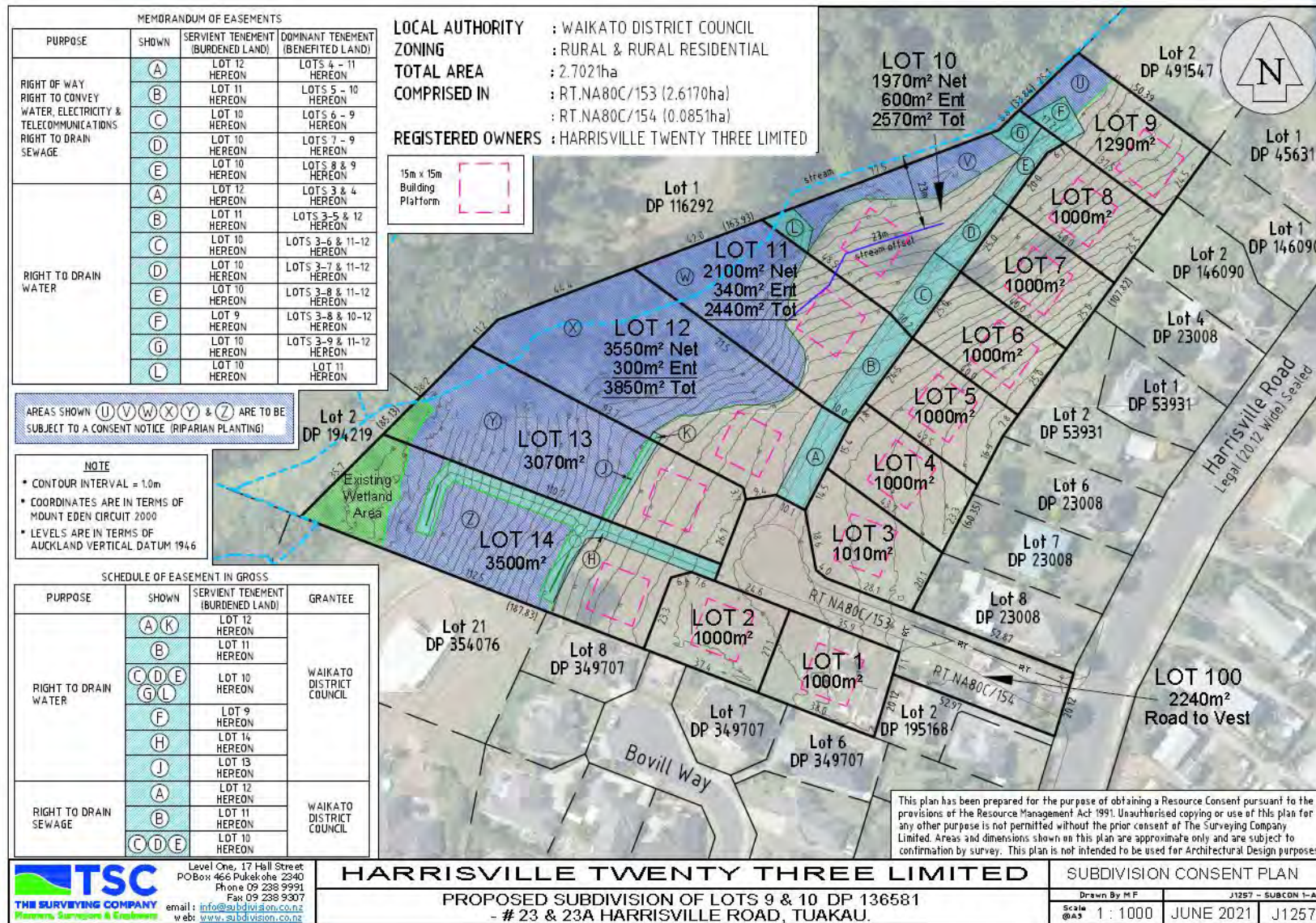


Figure 1: The proposed subdivision of 23 and 23a Harrisville Road, Tuakau.

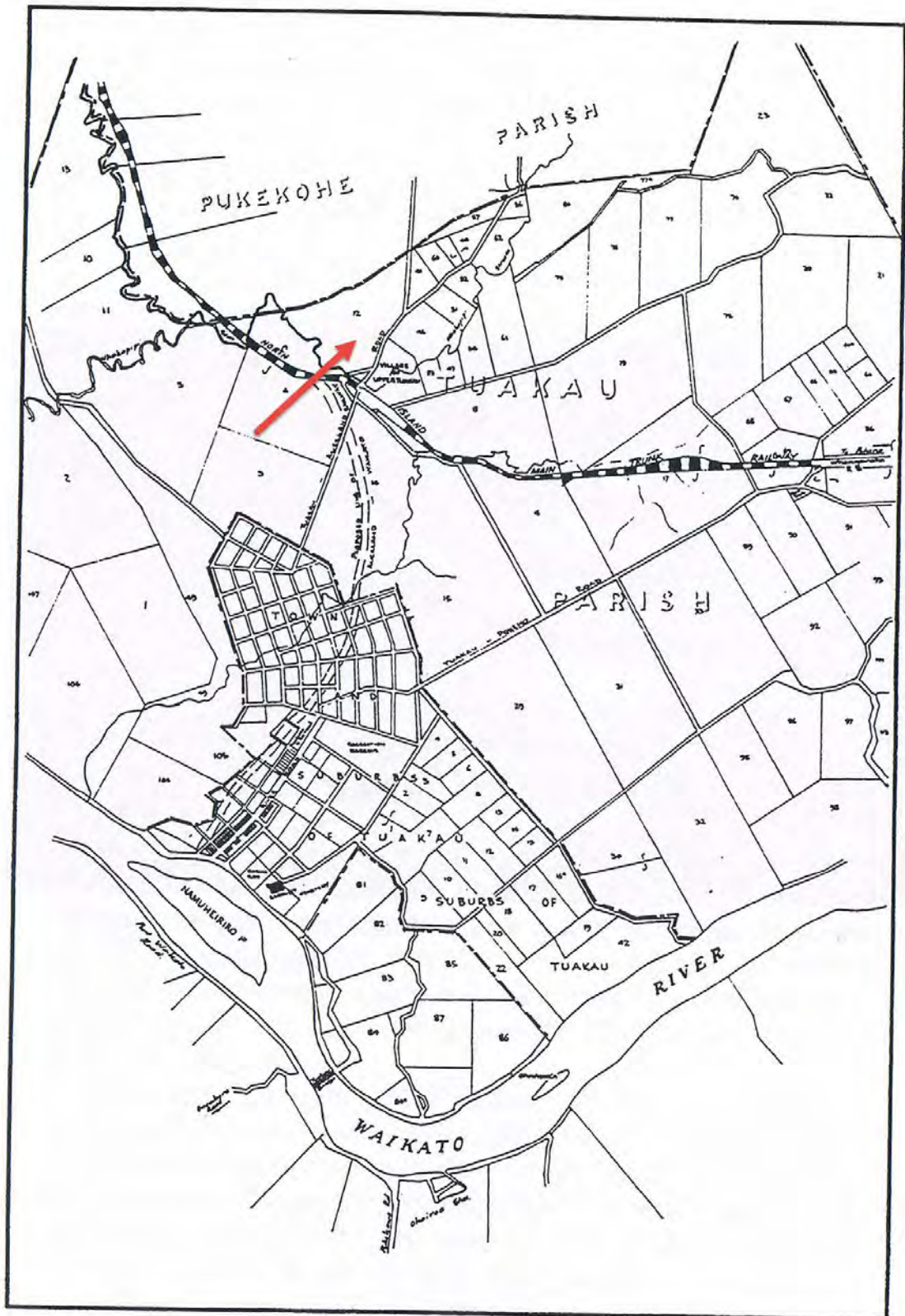
Brent Druskovich MA(Hons) BCom - Consultant Archaeologist  
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## 2. RESEARCH

Research was undertaken to understand the history of the area and the archaeological landscape. Historic plans were accessed through the Quick Map plan, these generally showed little of interest other than subdivisions of the original properties occurring consistently from circa 1930 through to the present day in the general area.

The original 1866 subdivision (SO413) illustrates that the survey property was once part of Lot 12, an 80 Acre holding. On this plan the names Edward Lusk and Thomas Holmes are written as the owners. The copy of the 1866 subdivision has not scanned well (available from Quick Maps) so I will not illustrate it here; however a version of it with some later day updates including the railway has been published in Morris (1965) which is illustrated below, the survey block is arrowed. As illustrated this lies well outside the main town block and therefore the main centre of planned intensification. It was in fact somewhat larger than many of the 10 acre blocks that were also available to the settlers.

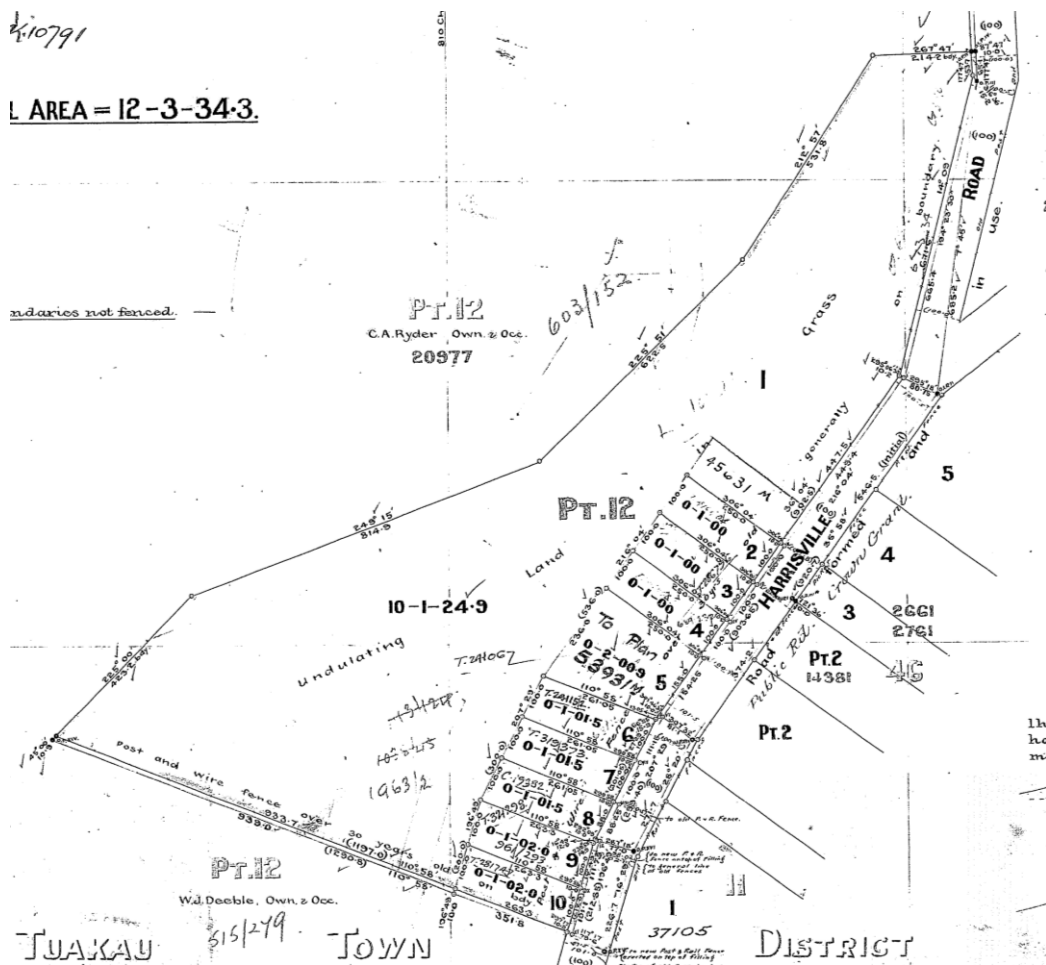




TUAKAU, SHOWING EARLY TOWN SECTIONS, 10-ACRE GRANTS, AND LAND BOUGHT BY SETTLERS.

Figure 2: A version of SO413 as illustrated in Morris 1965. The survey property was part of Allotment 12 arrowed.

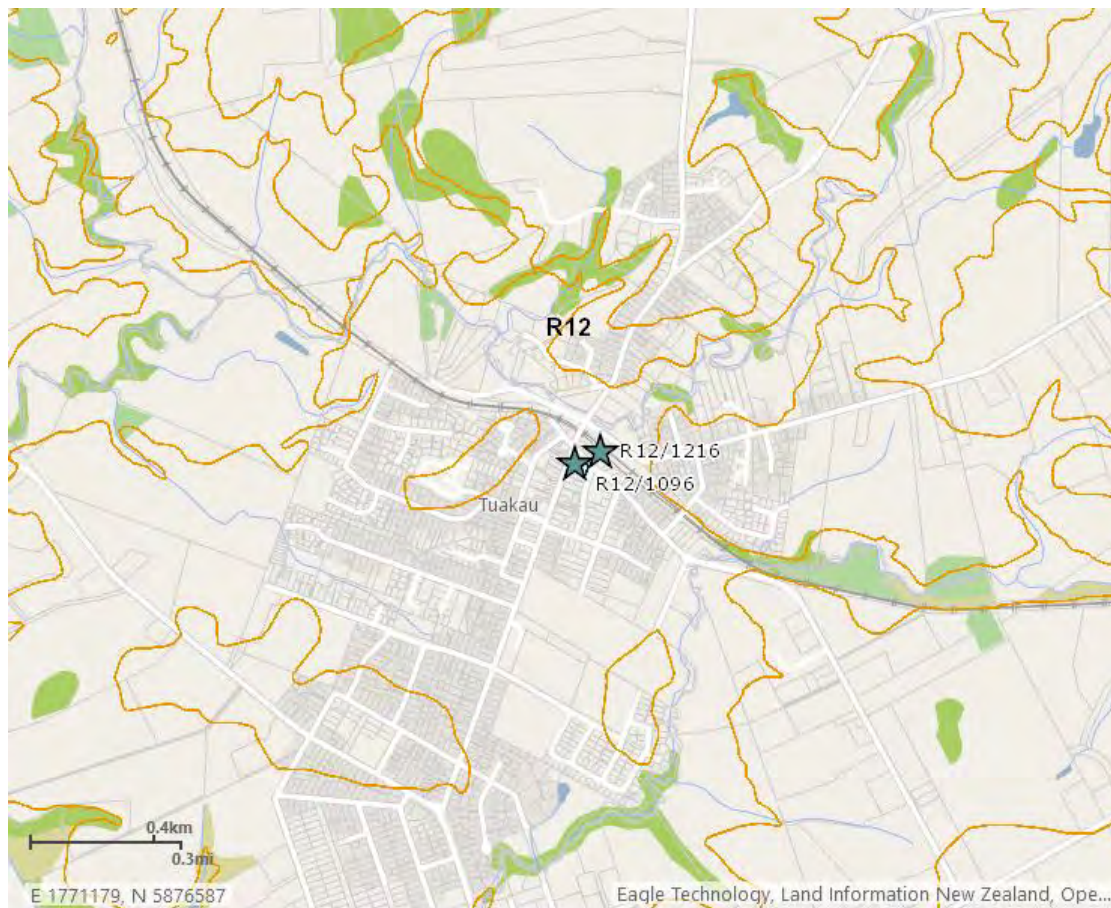
DP 23008 of 1930 (Figure 3) shows that the majority of the block was found as is now, and is described as undulating land in grass. Of interest is that Lot 5 is larger than the other residential lots that are being created from the bigger block, this may be an indication that a homestead associated with the allotment was on this lot. Lot 5 of DP 23008 has since been subdivided into 31 and 33 Harrisville Roads. Fencing is described as being Post and Wire Fence over 30 years old on the boundary or generally on the boundary, these should they still be extant would in theory be archaeological sites as they would have been constructed prior to 1900, though these are unlikely to be standing or to have left a recognisable archaeological signature, there likely having been a number of postline alignments on the boundaries over the intervening years, each would leave a more or less indistinguishable archaeological signature from each other.



**Figure 3: Part DP 23008 of 1930 illustrating the extent of the survey property at that time, it has since been subdivided further.**

The New Zealand Archaeological Association Records were also examined, nearby (Figure 4) two archaeological sites have been recorded, R12/1216 and R12/1096, both of these are down the hill from the survey property within the main township of Tuakau. They are the site of the Tuakau Railway Station, opened 20/5/1875 and the site of the Tuakau Hotel that has occupied the site since 1882. These two sites are circa 350 to 400m south of the survey property.

A few other historic colonial period sites are found between 2.5km and 4km distant to the south, north and west, recorded sites relating to Tangata Whenua occupation of the Tuakau area are all beyond 3.5km distant towards the Waikato River.



**Figure 4: Recorded archaeological sites in the immediate vicinity of the survey property. The survey property is located where the 12 is positioned in the middle of the image.**

Bibliographic research was also undertaken on the Tuakau area to gain an understanding of Tuakau and environs. Many of the books consulted had either

repeated information, often short and scant, the following information is largely sourced from the two publications that held the most useful detail (Moon 2018, Morris 1965) as well as targeted information from others. To aid to the understanding of what is available it is set out as a series of points largely laid out in a timeline format.

- Its name is probably a reference to the outlook the location affords with “Tu” meaning to stand, and “akau” referring to the shore, or river bank (Moon 2018:379).
- For a brief period in the late 1850s the location was also known as “Egypt” although both the reason for the name and its sudden decline in usage is unknown (ibid).
- Tuakau’s important strategic position predated European arrival to the region. It was partly due to its topography – specifically, the view it gave over the Waikato – but also because for iwi coming from the north, it was the closest access point to the Waikato River after traversing Tamaki Makerau (ibid).
- The area in area in general contained several small settlements, as well as urupa and areas devoted to cultivation (ibid).
- Missionaries and officials constituted the main categories of Europeans travelling through Tuakau in the 1840s (ibid:380).
- In 1846 the tracks leading to Tuakau are described as “both narrow and crooked, and although easily travelled on foot, not well adapted for horseback” (Morris 1965:93)
- In 1846 Dr Johnson, the Colonial Surgeon visited Tuakau and described the Maori village of Tuakau as situated on the banks of the river (the Waikato) and consisted of a few houses within a stockade, situated in the centre of a semi-circular hollow encloses an area of a few acres. A canoe landing is adjacent, other nearby banks are thickly wooded for a considerable distance either side (ibid). Morris (ibid:100) places this village site as being situated between Alexandra Redoubt and the present main road as it approaches the river from Tuakau.
- In 1847 the missionary Richard Taylor visited Tuakau and wrote in his journal that it was “*a little place with only one man in it*” (Moon 2018:380).



- Five years later in 1852 Alexander Kennedy visited Tuakau. At this time the Maori village had shifted location and was half a mile back from the river (Morris 1965:94). He described the population as scant (Moon 2018:380).
- In the 1850s the Maori population increased with a flour mill being built in 1854 (Moon 2018:381) groves of peaches planted and European methods of agriculture were beginning to be followed with there being movement back from the river to the areas of flatter ground behind for cultivation (Morris 1965:94).
- Moon (2018:381) identifies Auckland as being the principle market for wheat. Food production had shifted from being for the residents only to being a commercial enterprise.
- In the late 1850s the former Attorney General, William Swainson passed through Tuakau where he made the comment “few years ago Tuakau was the site of native settlement; and the land around, once densely timbered, has been cleared for native cultivations” (ibid).
- Charles Heaphy also visited Tuakau in 1859 (ibid:382), here he described that the land was largely undeveloped with the banks of the river being all wooded to the waters edge with thick forest covered hills surrounding.
- On the 12<sup>th</sup> of July 1863, when the invasion of the Waikato was launched, General Cameron sent about 300 soldiers from the 65<sup>th</sup> Regiment to march from Drury and to occupy the high ground at Tuakau overlooking the Waikato River. This is now the site of the Alexandra Redoubt just south of Tuakau Township. “*Maori living in the area fled at the approach of the troops leaving behind a few arms, a small quantity of ammunition and a good supply of flour, potatoes, pigs and poultry, of which possession was taken*” (Barton and Ritchie 2021:78-79).
- Norris (1965:73) notes that prior to the war Tuakau was a large Maori Reserve, European settlers had started to settle in nearby Buckland and Harrisville, both 5 to 8 km to the north. Numbers of settlers at that point of time were low.
- At the time of the invasion there were four main clusters or villages that Maori lived in at Tuakau, as well as other “*minor groups of huts in the Tuakau vicinity*” (Tuakau District Centennial Committee 1965:9). These four main villages were said to be “*1. near the present railway crossing. 2. On the*

*property of Mr Kewish. 3. On the Domain site. 4. On the Taupiri Dairy Company property. Several native huts were also situated on the present site of the Roman Catholic Church.”*

- Following the war the Government confiscated some 11000 acres of land at Tuakau, later they compensated to some individual Maori £230 for claims at Tuakau (Morris 1965:134).
- The Government set out what it referred to as the “Special Waikato Immigration Scheme” to settle a number of northern areas with settlers from Britain and South Africa. Government representatives were sent to Britain and agents on behalf of the government appointed in England, Ireland, Scotland and South Africa to select candidates (ibid:134-135).
- Various conditions applied to the settlers and their futures, the one that was likely of greatest incentive to the settlers of Tuakau and the other settlements was “Every settler....will be entitled to one Town Allotment, and to one 10-acre Suburban Section: and if ...within three years repay to the Government one half of his passage money and that of his family, he will be entitled in addition to one 10 Acre Farm Section, to one 5 Acre Farm Section for each child above 12 years old (ibid:137).
- Settlers started arriving from the Immigrant Ship “Ganges” to Tuakau in 1865, they were later joined by other settlers from later ships that year (ibid:153). This was in effect the start of Tuakau as we know it today, though the initial town settlement areas as illustrated in Figure 2 were closer to the River than the current centre of Tuakau township.
- To assist with the settlement the Government sent teams of horses in to assist with breaking in the land in July 1865 (ibid:161). The ploughing occurring on “*the land formerly used by the Maoris for cultivation.*” Morris identifies this as the area occupied by Tuakau Domain and environs, presumably what is now known as Tuakau Recreation Reserve.
- By October 1865 (in referring to the wider Franklin District) it is reported that a large quantity of road cutting and clearing has been done and good bush roads made, but they are almost impassible due to the large amount of traffic and there having been an extreme winter (ibid:163).
- On the 16<sup>th</sup> of October 1865 F J Myers notes there is a good bush road from Queens Redoubt (Pokeno) and another has been started to being built to the



Pukekohe District (ibid). This was the beginnings of Harrisville Road (ibid:168). Myers also reported that 25 acres were planted in potatoes and that nearly all the immigrants were living in tents.

- In December 1865 Reverend Vicesimus Lush found the occupants of Tuakau in a bad state, reporting that they are not yet on their own land and most of them have not even seen it as it is dense forest and that no roads have been formed to access the allotments (ibid:165)
- Lush also described the peach trees that had been planted during the Maori settlement of Tuakau, he stated “*There are Thousands and thousands of peach trees which are all in full bloom presenting a very cheerful and gay lining to the somber forest trees in the background*” (Ibid).
- In 1866 Moon (2018:383) records that the people of Tuakau were generally in a sad state of poverty.
- Morris (1965:167) discusses that in 1866-67 flax mills were springing up all over Franklin, none however were more numerous than in Tuakau. In 1879 Morris (ibid:192) reports that acres of flax were usually to be seen lying spread out in the fern to bleach.
- As well as land granted for the immigration settlers, the government offered for sale land at Tuakau in 1867 (ibid:175).
- Moon (2018:383) reports that in 1870 that few farmers were willing to take up sections as the land was considered to be poor. That there had initially been a growth in the dairy industry in the latter 1860s, however by the late 1880s the dairy factory in Tuakau was derelict and prospects for that sector of the agricultural economy looked grim too..
- Despite these obvious hardships the community was growing and this is evidence by the fact that in 1870 the first primary school was opened (Centennial Committee 1970:10), two years before the governments Education Act, with classes initially held in a shed originally used by the militia.
- In 1875 the Drury to Mercer Railway was opened, this influenced the town centre of Tuakau (Morris 1965:190) with the commercial and residential areas developing near the railway, whereas previously the Waikato River had been the focus.
- In the 1880s (Moon 2018:383) Catholic, Presbyterian and Methodists churches were built and the Tuakau Creamery established that was serviced by 39 farms

### 3. RESEARCH CONCLUSIONS

Research indicates that the main areas of occupation by Maori were close to the Waikato River, initially with a stockaded village and a few crops being close to river landings. As population increased and Maori traded with colonial Auckland they village shifted further inland in the 1850s, areas of cultivations increased with wheat and potatoes being “exported” and traded with European settlements, particularly Auckland. Maori were milling their own wheat in the 1850s and extensive groves of Peach Trees had been planted, thousands of trees in total. It has been reported that there were four main Maori settlements as well as many areas of one or two whare. One of these villages has been reported as being near the current railway crossing at the time of the 1863 wars, though there is no indication of its size or how much land had been cleared around it. This is an approximate 350m from the nearest perimeter of the survey property, though it must be noted that there is a significant hill to get to the 23 and 23a Harrisville properties, they are on the elevated hills above rather than on the wide flat areas to the River.

Outside these areas of habitation and cultivations it has been reported that the forest was thick and often foreboding, but there were numerous thin trails used by Maori that were well cleared and suitable for pedestrian traffic, that was difficult for horseback riders and impossible for larger traffic such as horse and carts. The main form of transport was certainly the Waikato River with extensive trade up and down the river. It would appear that the areas used by Maori in Tuakau were largely on the flat or flatter land, the hills and adjacent valleys were still heavily forested, as it would appear they remained at least in the initial years of European settlement after 1865.

As with the Maori settlement, despite being surveyed and laid out over a wider area, much of the early settlers influence were confined to the areas cleared by Maori for cultivations and living and also was focused to the areas closest to the river, in fact the earliest settlers made use of abandoned cultivations and the groves of peach trees. It is reported that the bush was thick for some years without roads to access allotments outside the cultivated areas. Some of the earliest work was to create roads through to the bush to connect with Pokeno, Drury, and Pukekohe via Harrisville so that transport other than shipping could connect with the growing township.

Success with agricultural industries waxed and waned throughout the first 20 years or so, and there are indications that some of the earliest settlers packed up and went elsewhere as it was too hard. With the coming of the railway the main focus of the settlement shifted from the river to the flat town blocks where the main shopping centre is found today.

Examination of the historic plans did not identify any archaeological evidence that is likely to remain today and it would appear that once the wider block that the survey properties were deforested that they have been used agriculturally, but have gradually been cut up and used for housing during the 20<sup>th</sup> and 21<sup>st</sup> Centuries. One property on Harrisville Road, was retained as a larger section than others during the 1930 subdivision (Figure 3 – DP23008 Lot 5) may relate to a possible farmhouse related to the survey property, it is possible that it pre-dates 1900 but this is purely speculation. Lot 5 has since been subdivided into numbers 31 and 33 Harrisville Road (DP 53931 of 1964). This 1964 plan depicts an “old garage” on those properties but no house, interestingly there is it also has no boundary fence between it and the survey property behind. This would indicate if there was an old house associated with the survey block it had been removed by 1964, its age and original build unknown.

No archaeological sites associated with either the settler or pre-settler period of history have been recorded on or in the immediate vicinity of the survey properties. It would appear that the property was on the very periphery of both the Maori occupation of Tuakau and that of the early settlement years, later becoming a farm on the immediate outskirts of the town.





**Plate 2. The backyard of 23 Harrisville Road.**

The majority of 23a Harrisville Road is undeveloped pasture, with small areas dominated by weed species, pine trees or regenerating native bush. On the northeastern slopes a track has been bulldozed, presumably to help with prior farming needs. The south eastern corner of the property is the only area that appears to have any development (Plate 3). In this corner there are a number of small sheds/shelters and lumps and bumps indicative of past earthworks. All of these appear modern, and there was a small drain that has been dug from this area towards the slope that falls to the wetland below (Plate 4). The southern boundary was also walked as much as could be accessed (the swamp/wetland area at the bottom of the slope was inaccessible) to assert whether it was possible that any of the pre-1900 fenceline still stood as depicted on DP23008. No posts of that age were found.





**Plate 3. The south eastern corner of the survey property.**



**Plate 4. Small excavated drain with spoil adjacent, note the modern tantalised posts on the property border with neighbouring residential properties.**





**Plate 5. The southern boundary on the slope to the wetland in the south western corner of the property.**

Although there were locations where archaeological survey wasn't possible, largely due to vegetation and occasionally health and safety reasons on the steepest slopes, the overall survey conditions could be considered excellent. Archaeological survey was undertaken by pedestrian survey with the use of a probing spear across the landscape, with a couple of testpits made. Only a couple of testpits were made as at no point did I detect subsurface anomalies being present with the probing spear and as there were a number of opportunities to examine exposed soils where stock congregate beneath trees, on bulldozed cuts, where slips have occurred, in the wooded areas where grass cover isn't present over much of the land surfaces, where the banks near the creek were steepest and in locations where stock tracks, rubbings or trampling had exposed the soils gave copious opportunities to examine and understand the soils without the need to dig holes more often.

Although I can say that I surveyed the whole property certain areas were targeted more than others, these included the stream banks where access was safe or possible, edges of the flat and the upper slopes below this lip where archaeological experience

has taught me are likely locations for midden may have been disposed, as well as the broad slightly sloped area at the south eastern end of the property which offered the most suitable conditions to anyone who may have occupied the area.

The following photographs document the land and assist with understanding my conclusions.



**Plate 6. The eastern boundary above the stream in proposed Lots 11, 12 and 13 is slope with largely regenerating native trees, there are steep slopes, little if any flat land and occasional slips present, sight lines are limited by the bush but access is possible.**





**Plate 7. Eastern facing slopes are moderately steep, they have no indications of terraces or other modifications on them.**



**Plate 8. Eastern facing slopes are moderately steep, they have no indications of terraces or other modifications on them.**





**Plate 9.** The majority of the larger trees within the pasture have been used as shelter by stock, there are usually wide areas of exposed soils surrounding these trees.



**Plate 10.** Exposed soils are also found on the slopes within the steeper banked areas of the stream valley, especially among areas with pines.





**Plate 11. Deeply incised banks adjacent to the creek from approximately proposed lot 11 to the wetland. These had good visibility to check for archaeological evidence.**



**Plate 12. At the northern end of the property the stream is nothing more than a water flow within the pasture.**





**Plate 13. At the northern end of the property the stream is nothing more than a water flow within the pasture. Immediately behind in the neighbouring property the hills arise again and there is mature native bush.**



**Plate 14. Blackberry and other weeds that occasionally prohibited access.**





**Plate 15. At the northern end of the property, a bulldozed track through the pasture.**



**Plate 16. The broad relatively flat area above the valley at the south eastern end of the property.**

## 5. RESULTS

No archaeological evidence was found, all soil profiles were reasonably consistent with a shallow topsoil formed over the bright orange Tuakau volcanic soils as observed in Plate 4.

## 6. CONCLUSIONS

No archaeological evidence was found and there were no indications that some could be expected. Research indicates that this area was likely to have been forested and the survey found indications that this would have been the case as evidenced by the mature native forest found on the western side of the property boundary. Although on the periphery of Maori settlement it seems unlikely that this block would have been used by Maori for anything more than occasional resource gathering, most likely birds, fruit of the forest, possibly tuna (eels) and other fish from the wetland and stream and perhaps flaxes from that location too. It is likely that this property was not cleared immediately after the initial settlers arrived in Tuakau, but was likely farmed from the latter half of the 19<sup>th</sup> Century onwards, an activity that appears to not have left an archaeological signature.

It cannot be expected that there will be unrecognised archaeological evidence within this development except perhaps a chance find where an artefact may have been inadvertently dropped by Maori gathering resources or in latter times during farming activities. Another possibility is that rubbish pits may have been dug somewhere within this block should there have been a house associated with the block as I have speculated from the old survey plans (i.e. where 31 and 33 Harrisville Road now stand), however this is unproven and even if a house was associated with the block it is unknown whether it might have been pre or post 1900 in origins.

I do not consider the inability to access 23 Harrisville Road a detriment, given the results of the research and survey it would be extremely unlikely that any archaeological evidence is present there either.

## 7. RECOMMENDATIONS

- A) That this report is presented to Ngati Tamaoho for comment.
- B) That consents for the proposed subdivision may be granted without archaeological conditions, though an advice note similar to the following should be issued with the consent/s.

### **Advice note:**

It is possible that archaeological sites may be affected by the proposed work. Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Maori and European origin or human burials.

If suspected archaeological evidence is found the applicant is advised to immediately stop work within 20m of that suspected evidence and to engage an archaeologist to assess. It may also be necessary to contact Heritage New Zealand Pouhere Taonga if the presence of an archaeological site is confirmed. Work affecting archaeological sites is subject to an Authority process under the Heritage New Zealand Pouhere Taonga Act 2014. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify or destroy any archaeological site(s), an Authority from Heritage New Zealand Pouhere Taonga must be obtained for the work to proceed lawfully.

## 8. BIBLIOGRAPHY

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**Moon, P 2018** *The Waikato: A History of New Zealand's Greatest River*. Published by Atuanui Press, Pokeno.

**Morris, N 1965** *Early Days in Franklin: A Centennial Volume*. Published by Franklin County Council, Pukekohe Borough Council, Tuakau Borough Council and Waiuku Borough Council.

**Tuakau District Centennial Committee, 1965** *Tuakau District Centennial 26th, 27th and 28th November, 1965.* Published by the Tuakau District Centennial Committee.



**APPENDIX B – IWI RESPONSE LETTER**



# NGĀTI TAMAOHO TRUST

Edith Tuhimata

Kaitiaki Taiao

Ngāti Tamaoho

128 Hingaia Rd

Papakura

[Edith@tamaoho.maori.nz](mailto:Edith@tamaoho.maori.nz)

15 November 2022

Vanessa Addy

Consultant

Surveying Company

23 & 23A Harrisville Rd,

Tuakau

Tena Koe Vanessa,

Thank you for meeting with me out on site. Ngāti Tamaoho appreciate the opportunity to input into the process for this application at 23 and 23A Harrisville Rd.

Proposal: This proposal is a 14-lot development which includes a right of way, right to convey water, electricity, telecommunications, right to drain sewage, right to drain water. Total cut volume 669m<sup>3</sup>, total fill 970m<sup>3</sup>, area of earthwork 3684m<sup>2</sup>, topsoil volume 1100m<sup>3</sup>.

Cultural Landscape:

The Maori worldview of land/water – Papatuanuku/Ranginui are the tupuna atua of land, sky. Waiti is the deity of freshwater we hold all our atua in the highest esteem they help us plan for the year ahead through the maramataka Maori. Papatuanuku provides a home for us, provides for our nutritional needs, sustains us and our families work, and when we pass on, we go back to the land. The importance of the sustainability of the land is one of the core values of our people and if we treat the Papatuanuku/ the land right she will provide for the next generations. It is an integral part of our culture and the cultural landscape. Its importance is told in our creation stories, our genealogy/whakapapa, our speeches/whaikorero, our Whakatauaki/proverbs. It has a mana/strength, tapu/sacredness, a wairua/spirit, mauri/essence of its own. Our water maintains, cleanses, gives, and takes life; therefore, we will always have concern for the integrity of the land and water.

*“This area is part of the Tirikohua Cultural Landscape that is culturally and historically significant to Ngāti Tamaoho we believe this development may influence this cultural landscape”.*

Assessment:

The project proposed is hill country, located nearer the top areas of Harrisville Rd, the geography is a terraced area with a slow climb to higher areas, it has sloping areas that extend down to the Whakapipi awa and an already established wetlands that sits above the Brinks chicken processing plant.

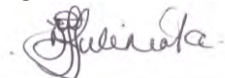
Ngati Tamaoho is not opposed to this application as it stands in principal and subject only to the following cultural and sustainable recommendations and requirements.

Ngati Tamaoho Recommendations and requirements:

We insist that the development is to be designed around the best cultural and sustainable outcomes as everything flows down towards the township catchment.

- We recommend an archaeological assessment.
- We recommend reticulation and reuse of water where possible.
- We recommend water tanks for the reuse of the rainwater off the roofs, tanks are pivotal to easing the water shortage in Auckland with so much intensification of housing going on the process is not thinking about where the water is going to come from into the future to service these new developments.
- We recommend a blessing before works start.
- We recommend cultural induction and cultural monitoring of the site attendance of the pre-earthworks meeting of all contractors and council compliance before works start.
- We recommend treatment train approach to any discharge to the whenua and waterways especially the stormwater
- We recommend Accidental Discovery Protocols for any artefacts, features or, koiwi that may be found in this area.
- We recommend appropriate sediment and silt controls for this project.
- We recommend planting palette that reflects the original flora and fauna.
- We recommend further for your consideration is proposed conditions around this consent.
- We recommend treatment train approach to stormwater and any discharge.
- We insist on enviropods cess pits alone are no longer acceptable because of the maintenance of them if council does not maintain the cess pits, then in high rainfall events they overflow, and this ends up in our waterways.
- The proposed setback should be ten to twenty metres from a waterway.

Nga Mihi



Edith Tuhimata  
Kaitiaki Taiao  
Ngati Tamaoho  
0220445074

[Edith@tamaoho.maori.nz](mailto:Edith@tamaoho.maori.nz)











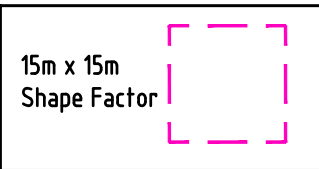
**APPENDIX C – PREVIOUS SUBDIVISION CONCEPT PLAN**



MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	DOMINANT TENEMENT (BENEFITED LAND)
RIGHT OF WAY RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS RIGHT TO DRAIN SEWAGE	(A)	LOT 12 HEREON	LOTS 4 - 11 HEREON
	(B)	LOT 11 HEREON	LOTS 5 - 10 HEREON
	(C)	LOT 10 HEREON	LOTS 6 - 9 HEREON
	(D)	LOT 10 HEREON	LOTS 7 - 9 HEREON
	(E)	LOT 10 HEREON	LOTS 8 & 9 HEREON
	RIGHT TO DRAIN WATER	(A)	LOT 12 HEREON
(B)		LOT 11 HEREON	LOTS 3-5 & 12 HEREON
(C)		LOT 10 HEREON	LOTS 3-6 & 11-12 HEREON
(D)		LOT 10 HEREON	LOTS 3-7 & 11-12 HEREON
(E)		LOT 10 HEREON	LOTS 3-8 & 11-12 HEREON
(F)		LOT 9 HEREON	LOTS 3-8 & 10-12 HEREON
(G)		LOT 10 HEREON	LOTS 3-9 & 11-12 HEREON
(L)		LOT 10 HEREON	LOT 11 HEREON

LOCAL AUTHORITY : WAIKATO DISTRICT COUNCIL  
 ZONING : RURAL & RURAL RESIDENTIAL  
 TOTAL AREA : 2.7021ha  
 COMPRISED IN : RT.NA80C/153 (2.6170ha)  
 : RT.NA80C/154 (0.0851ha)  
 REGISTERED OWNERS : HARRISVILLE TWENTY THREE LIMITED

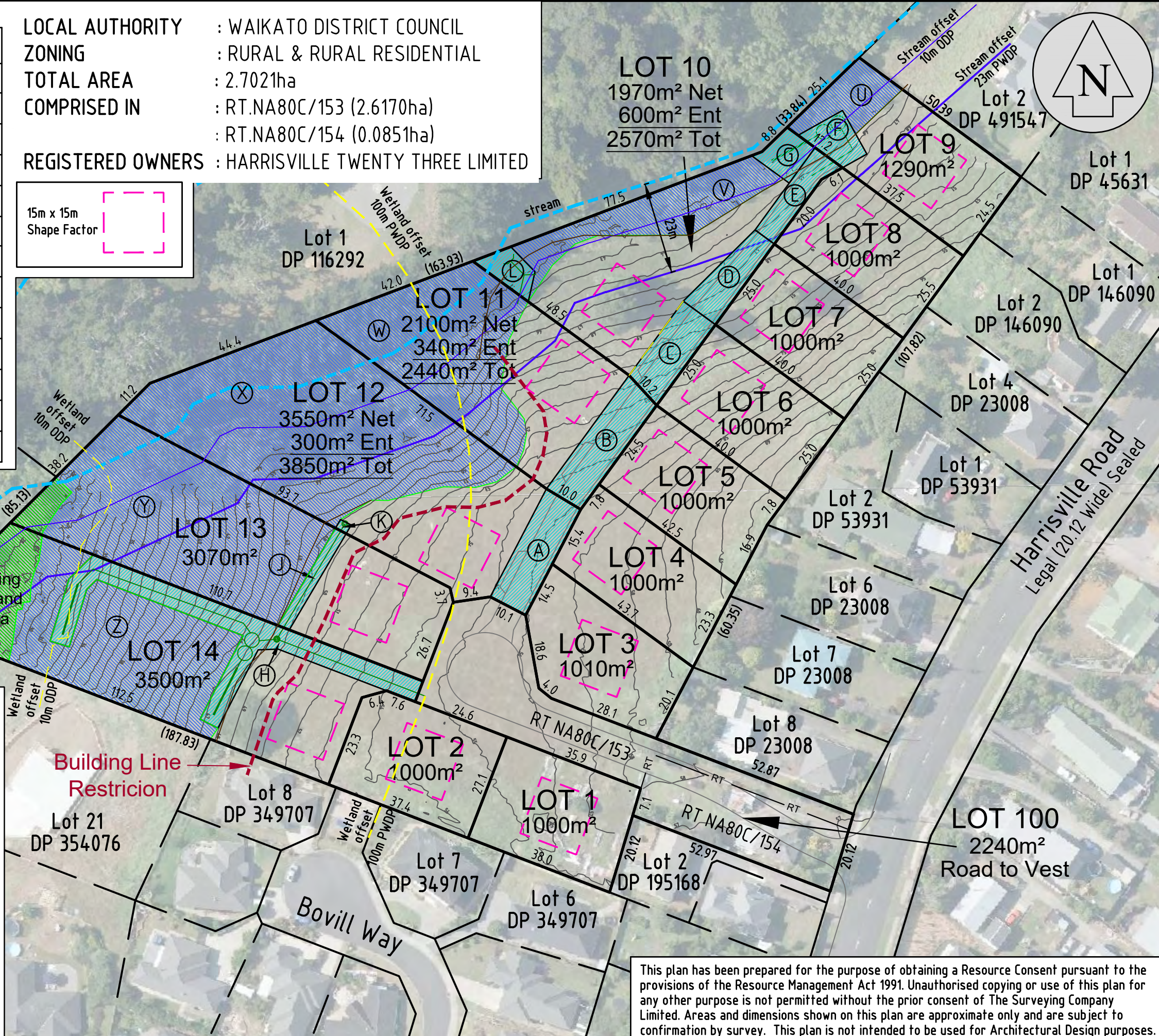


AREAS SHOWN (U)(V)(W)(X)(Y) & (Z) ARE TO BE SUBJECT TO A CONSENT NOTICE (RIPARIAN PLANTING)

- NOTE**
- CONTOUR INTERVAL = 1.0m
  - COORDINATES ARE IN TERMS OF MOUNT EDEN CIRCUIT 2000
  - LEVELS ARE IN TERMS OF AUCKLAND VERTICAL DATUM 1946

SCHEDULE OF EASEMENT IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	GRANTEE
RIGHT TO DRAIN WATER	(A)(K)	LOT 12 HEREON	WAIKATO DISTRICT COUNCIL
	(B)	LOT 11 HEREON	
	(C)(D)(E)	LOT 10 HEREON	
	(G)(L)	LOT 10 HEREON	
	(F)	LOT 9 HEREON	
	(H)	LOT 14 HEREON	
	(J)	LOT 13 HEREON	
RIGHT TO DRAIN SEWAGE	(A)	LOT 12 HEREON	WAIKATO DISTRICT COUNCIL
	(B)	LOT 11 HEREON	
	(C)(D)(E)	LOT 10 HEREON	



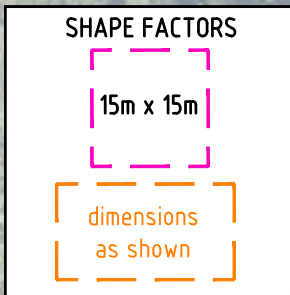
This plan has been prepared for the purpose of obtaining a Resource Consent pursuant to the provisions of the Resource Management Act 1991. Unauthorised copying or use of this plan for any other purpose is not permitted without the prior consent of The Surveying Company Limited. Areas and dimensions 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 D – MDRZ 2 CONCEPT PLAN**



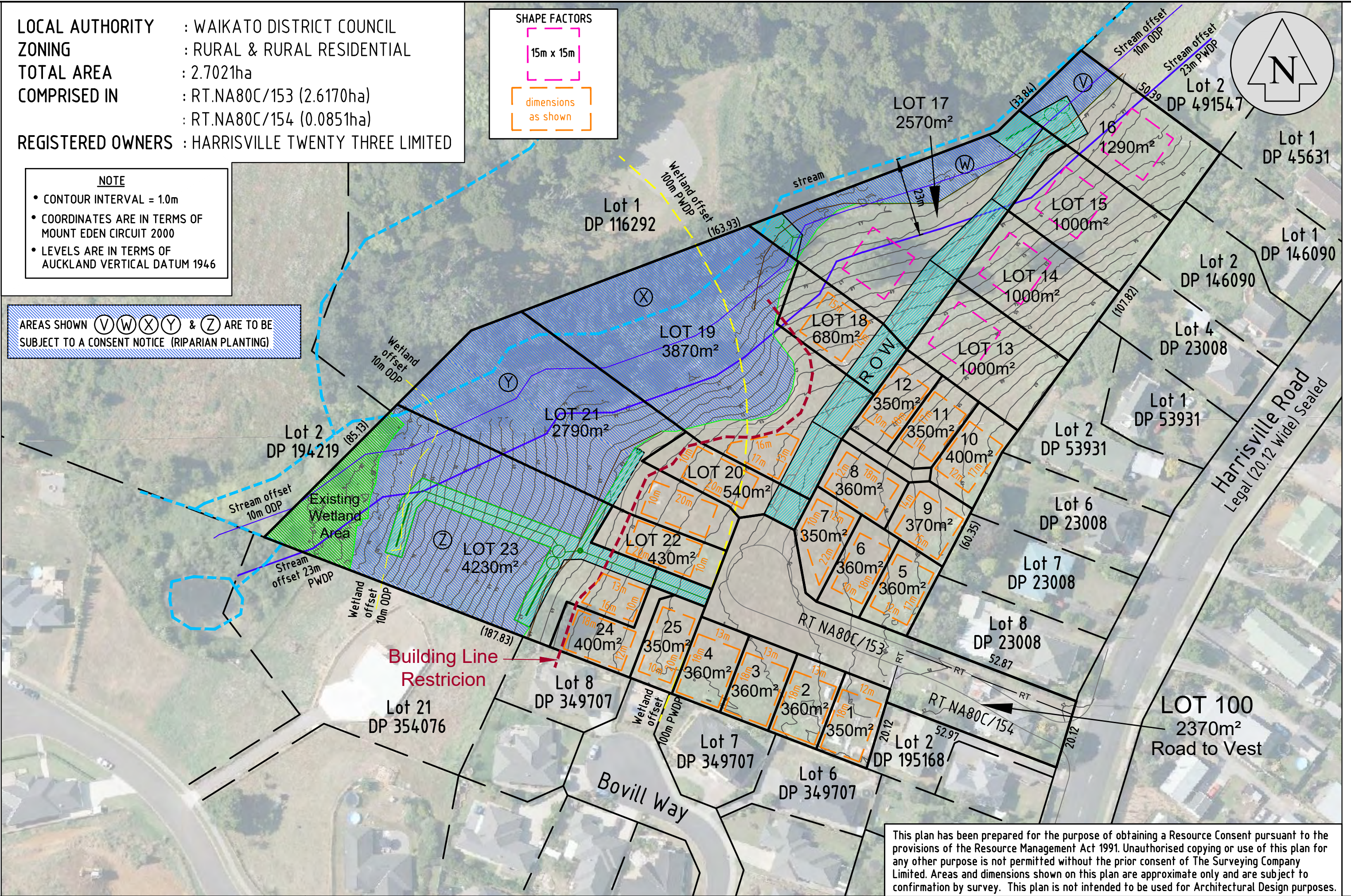
**LOCAL AUTHORITY** : WAIKATO DISTRICT COUNCIL  
**ZONING** : RURAL & RURAL RESIDENTIAL  
**TOTAL AREA** : 2.7021ha  
**COMPRISED IN** : RT.NA80C/153 (2.6170ha)  
 : RT.NA80C/154 (0.0851ha)  
**REGISTERED OWNERS** : HARRISVILLE TWENTY THREE LIMITED



**NOTE**

- CONTOUR INTERVAL = 1.0m
- COORDINATES ARE IN TERMS OF MOUNT EDEN CIRCUIT 2000
- LEVELS ARE IN TERMS OF AUCKLAND VERTICAL DATUM 1946

AREAS SHOWN (V)(W)(X)(Y) & (Z) ARE TO BE SUBJECT TO A CONSENT NOTICE (RIPARIAN PLANTING)



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**APPENDIX E – S32 ASSESSMENT**

JULY 2023 | V1

# Section 32A Analysis Report

23A Harrisville Road

Tuakau

HARRISVILLE TWENTY THREE LIMITED

 **0800 TO SURVEY**  
(0800 86 78 78)

 [www.subdivision.co.nz](http://www.subdivision.co.nz)

## Document Control Record

Client: Harrisville Twenty Three Limited

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Project Location: 23A Harrisville Road, Tuakau

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Job Number: J1257

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Document: Section 32 Analysis Report

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Version: V1

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Document Status: Final - Approved for Issue

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Date: July 2023

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Filename: M Drive (M):\Office Documents\J1257\Planning\

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## 1. Introduction

This report has been prepared to meet the provision of Section 32 of the Resource Management Act 1991 (RMA).

This report accompanies the evidence being presented to Council Hearing following the submission on Variation 3 – Enabling Housing Supply on the Proposed Waikato District Plan – Decision Version (PWDP-DV) for the property located at 23 Harrisville Road, Tuakau (the ‘property’).

Variation 3 of the PWDP-DV proposed some intensification and increased density to accommodate future growth as required by the National Policy Statement on Urban Development (NPS-UD). There has been an exclusion of a number of properties within walking distance of the Tuakau’s Town Centre, specifically 23A Harrisville Road.

Applying the MDRS across all relevant residential zones in the district plan (unless there is a qualifying matter) is required in accordance with Schedule 3A of the RMA (policy 2). The subject site is zoned Rural Residential under the Operative District Plan (Franklin) and Large Lot (which is categorised as one of the Residential Zones) in the Proposed Waikato District Plan – Decisions Version. However positive ongoing discussions are being held to rezone the subject site via a bespoke rule in the PWDP process to the Residential Zone.

## 2. Site Description

23A Harrisville Road is a large (2.61ha) vacant rear site in pasture with individual access to Harrisville Road and located within walking distance of approximately 450 metres from the CBD of Tuakau.

A stream flows towards the southwest along the northwest boundary of the property to a wetland located in the western corner of the site.

The site contains predominantly broad gently sloping ridge crests, with steeper slopes extending along the gully to the northwest of the property. Pine trees line the most of northwest boundary adjacent to the stream. The remainder of the land is covered in pasture and used for dry stock grazing.

The surrounding area to the east, north and south is residential housing ranging in size between approximately 650m<sup>2</sup>, 1000m<sup>2</sup> and 3500m<sup>2</sup>. Land to the west is zoned Large Lot and is mostly covered in vegetation.

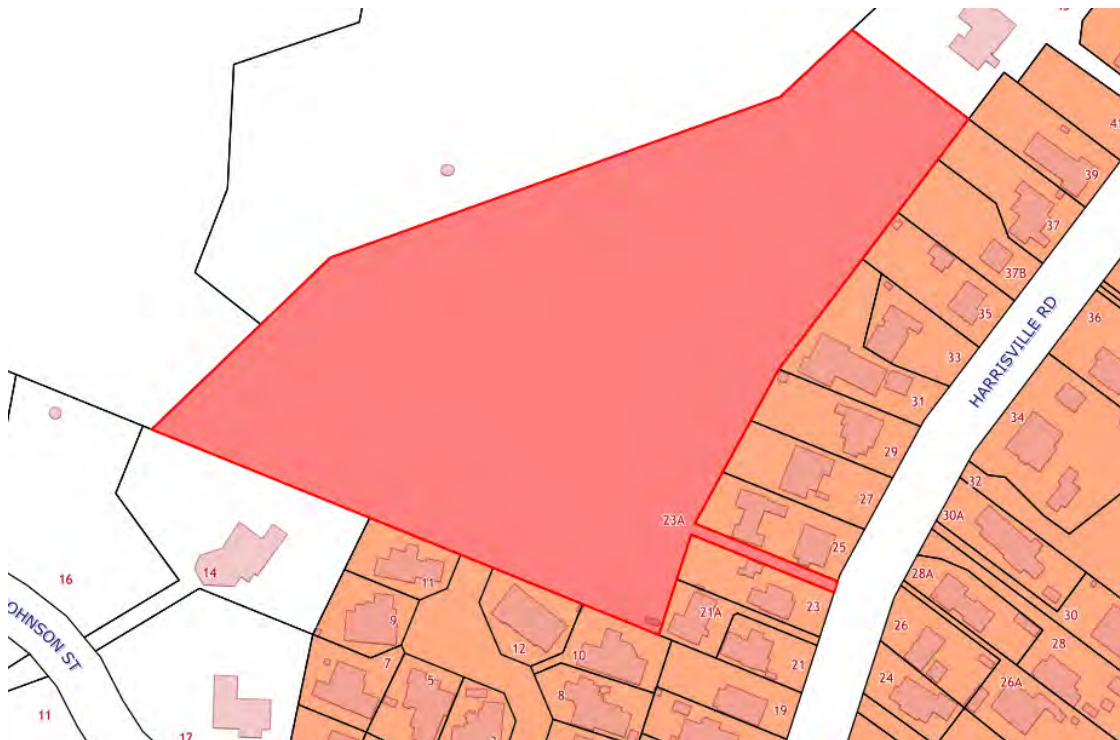


Figure 1: Site Location Plan – 23A Harrisville Road, Tuakau  
 Source <https://enterprise.mapimage.net/IntraMaps>

### 3. Consenting Background

Harrisville Twenty-Three Limited ‘the submitter’ has been pursuing an application for a serviced subdivision to create fourteen (14) residential lots ranging in size from 1000m<sup>2</sup> – 3850m<sup>2</sup> with the lodgement of resource consents in October 2022 to both the Waikato District Council and Waikato Regional Council. This consenting process has been progressing but is currently effectively “parked” pending the outcome of the plan change processes. The **Subdivision Consent Plan**, some specialist reports and iwi response supporting the application are included within **Appendix B** of the Variation 3 evidence package.

### 4. Overview and purpose of Variation 3

On 20 December 2021, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (Amendment Act) was enacted. While this has now been incorporated into the primary legislation of the RMA, it requires Tier 1 Territorial Authorities, of which Waikato District is one, to change their district plans to incorporate Medium Density Residential Standards (MDRS) and to give effect to Policies 3 or 5 of the National Policy Statement on Urban Development (NPS-UD).

The MDRS as set out in Schedule 3A of the RMA, must be applied to every “relevant residential zone” in the district and can be modified to be either more or less enabling of development in accordance with sections 77H and 77I of the RMA. Schedule 3B of the RMA amends Policies 3, 4 and 5 of the NPS-UD.



If a Territorial Authority is proposing to modify the MDRS to limit their application, it can do so only if one of the qualifying matters contained in s771 of the RMA are applicable. A qualifying matter is a matter identified in s771 of the RMA that makes the required higher density inappropriate in an area where there are significant factors or values present, such as high hazard risk. Variation 3 – Enabling Housing Supply – constitutes Council’s Intensification Planning Instrument (IPI) under s80E of the RMA (Variation 3). Variation 3 seeks to vary the PDP to implement the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (Amendment Act) by: a. Applying the MDRS to relevant residential zones; and b. Give effect to Policy 3 in the NPS-UD.

In implementing Variation 3, Council’s objectives are to: a. Meet legislative requirements; b. Enable additional residential capacity in the district’s larger towns subject to qualifying matters; c. Contribute towards achieving the targets for housing development capacity as set out in the PDP and Future Proof; d. Enable a variety of housing choice; e. Reduce pressure on urban expansion and associated infrastructure investment requirements by enabling more intensification of existing urban areas; f. Create quality built form outcomes; and g. Deliver on a more walkable and compact urban form by increasing residential intensification in close proximity to the town centres of the four largest towns.

## 5. Scope of this s32A Analysis

This evaluation examines whether the proposed changes to the provisions (to include 23A Harrisville Road within the MDRS via Variation 3) is the most appropriate way of achieving the objectives of the Amendment Act and the NPS-UD.

An Assessment of Economic Costs and Benefits report has been prepared and attached to the Economic and Property Market evidence of Mr Adam Thompson. He finds that the MDRS/MDRZ – 2 zone change sought in the submission will promote the provision of affordable housing, have benefits that greatly exceed costs, and better meet the capacity requirements of the NPS-UD for Tuakau.

The changes do not propose to amend any Proposed Plan/Variation 3 objectives or provisions, and therefore the objectives/provisions will still remain if the amended proposal were to take effect. For the proposed changes sought in the Harrisville submission, the evaluation under section 32(1)(b) of the RMA relates to the suitability of the site for residential zoning and inclusion ‘within the Variation 3 MDRS/MDRZ 2 zoning.

## 6. Reasonably Practicable Options

The following options were identified:

Options	Description and appropriateness
Option 1 Status Quo Proposed Waikato District Plan – Decision Version (PWDP-DV) Provisions:	Under this option the PWDP-DV rules would apply as proposed i.e. continuing on as Large Lot Zone which is outside the ‘relevant residential zone’ that Variation 3 has the ability to include.

<p>Large Lot Zone</p>	<p>The rules (having large minimum lot sizes) do not address the fact that this site is prime land for residential activities being in close proximity (i.e. walking distance) to Tuakau’s town centre and has access to full public reticulation (therefore no need to incorporate onsite servicing within each lot). This option would not achieve the economic growth objectives of the PWDP-DV or the policies within the NPS-UD.</p> <p>This option is not considered to be appropriate.</p>
<p>Option 2 Proposed Changes – inclusion of 23A Harrisville Road as MDRS/MDRZ-2 as sought by Harrisville Twenty Three Limited</p>	<p>Under this option, the proposed changes sought by Harrisville Twenty Three Limited to the zoning of 23A Harrisville Road to allow for the MDRS provisions proposed under Variation 3 to become fully available to the site.</p> <p>The inclusion of the subject site would actively contribute to the creation of a well-functioning urban environment for Tuakau for the following reasons:</p> <p>It would increase the potential number of people living in close proximity to the services and amenities located in the Tuakau centre. This not only creates a high amenity living environment for residents, it contributes to the viability of the activities within the centre itself;</p> <p>It makes efficient use of existing infrastructure, given that the subject sites are already serviced by water and wastewater infrastructure;</p> <p>Consolidating and intensifying development within and around the Tuakau centre will increase housing supply in a way which gives effect to the relevant growth strategies whilst also preserving the surrounding Highly Productive Land.</p> <p>This option is considered to be appropriate.</p>
<p>Option 3 Proposed Changes – inclusion of 23A Harrisville Road MDRS/MDRZ - 2 as sought by Harrisville Twenty Three Limited but include a Qualifying Matter –Natural</p>	<p>Under this option, the proposed changes sought by Harrisville Twenty Three Limited to the zoning of 23A Harrisville Road to allow for the MDRS provisions proposed under Variation 3 to become available to the site subject to a Qualifying Matter –Natural Character of the waterbodies and their margins.</p> <p>The Qualifying Matter imposed for this option would ensure topographic constraints that are present at this</p>

<p>Character of the waterbodies and their margins</p>	<p>property are appropriately assessed under the resource consenting process while also allowing for flexibility in density.</p> <p>The inclusion of the subject site would actively contribute to the creation of a well-functioning urban environment for Tuakau for the reasons outlined above while also ensuring any topographic constraint present on the property is appropriately managed.</p> <p>This option is considered to be most appropriate.</p>
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## 7. Discounted Options

There are no further options considered available for the subject site.

## 8. Assessment of Options

<b>Option 1</b> <b>Status quo – PWDP-DV Provisions</b> <b>Large Lot Zone</b>	
<b>Costs</b>	<b>Benefits</b>
<p><b>Environmental</b></p> <p>No environmental costs</p> <p><b>Social and Economic</b></p> <p>Restricts development on the site.</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments.</p> <p>Increased time required to create new dwellings due to resource consents being required.</p> <p>There may be conflict between parts of the community with different options over the value of features.</p> <p>Reduced affordable housing supply available.</p> <p>May not result in optimising the existing urban land resource.</p>	<p><b>Environmental</b></p> <p>Demand on the receiving land and water is maintained.</p> <p>Enables the ongoing protection of matters of natural and environmental importance.</p> <p><b>Social and Economic</b></p> <p>Less demand on infrastructure.</p> <p>Amenity for those living in close proximity to the site is maintained.</p> <p><b>Cultural</b></p> <p>No cultural benefits.</p>

<p>Increased time required to create new dwellings due to resource consents being required.</p> <p>May result in sub-optimal subdivision configurations.</p> <p>Cultural</p> <p>No cultural costs.</p>	
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**Efficiency and Effectiveness:**

Maintaining the zoning in its current form will result in sub-optimal urban land development in a prime location that is in close proximity to Tuakau’s town centre. The current zoning is an inefficient use of scarce urban land resources

<p><b>Option 2</b> <b>Proposed Changes – inclusion of 23A Harrisville Road to the ‘relevant residential zone’ Residential Zone</b></p>	
<b>Costs</b>	<b>Benefits</b>
<p><b>Environmental</b></p> <p>Increase in development (i.e addition impervious areas) could result in an increased adverse effect in water quality in the receiving environment.</p> <p><b>Social and Economic</b></p> <p>No economic costs.</p> <p>May result in reducing amenity values for surrounding properties due to increase in densities.</p> <p><b>Cultural</b></p> <p>No additional cultural costs.</p>	<p><b>Environmental</b></p> <p>Development with the inclusion of protection and planting of the wetland and riparian areas will enhance the biodiversity of the receiving environment.</p> <p><b>Social and Economic</b></p> <p>Provides option for landowners and new residents to provide for their social and economic wellbeing and health and safety through subdividing vacant lots/building additional dwellings on a site.</p> <p>Will enable a more efficient use of land.</p> <p>Can contribute to housing affordability through an increase of housing supply.</p> <p>Increase densities will enable infrastructure to be provided more efficiently given the location of the site within close proximity to surrounding residential areas and the town centre.</p>

	<p>Ensure ease of walkable access to the town centre of Tuakau (i.e. the subject site is 450 metres from the CBD).</p> <p>Enables more variety of living environments.</p> <p>Provides additional housing stock through enabling medium density residential development.</p> <p>Increased certainties around expectation for future urban form.</p> <p>Cultural</p> <p>No cultural benefits.</p>
<p><b>Efficiency and Effectiveness:</b></p>	
<p>A proposed zone change will ensure the subject land can be developed to an optimal density making efficient use of infrastructure that is available, and this scarce urban land resource.</p>	

<p><b>Option 3</b> Proposed Changes – inclusion of 23A Harrisville Road to the ‘relevant residential zone’ with a Qualifying Matter Residential Zone with a Qualifying Matter – Topographic Constraints</p>	
<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>Environmental</p> <p>Increase in development (i.e addition impervious areas) could result in an increased adverse effect in water quality in the receiving environment.</p> <p>Social and Economic</p> <p>No economic costs.</p> <p>May result in reducing amenity values for surrounding properties due to increase in densities.</p> <p>Cultural</p>	<p>Environmental</p> <p>Ensures that where the qualifying matters are taken into consideration, additional requirements for protection and planting of waterbodies and associated riparian are undertaken and the development is designed in respect to the natural features the site presents.</p> <p>Social and Economic</p> <p>Ensures that where the qualifying matters is taken into consideration so that the subdivision is configured in such a way that a vacant site will</p>

<p>No cultural costs.</p>	<p>be able to be built on and amenity values of the surrounding properties are considered.</p> <p>Provides option for landowners and new residents to provide for their social and economic wellbeing and health and safety through subdividing vacant lots/building additional dwellings on a site.</p> <p>Will enable a more efficient use of land.</p> <p>Can contribute to housing affordability through an increase of housing supply.</p> <p>Increased densities will enable infrastructure to be provided more efficiently given the location of the site within close proximity to surrounding residential areas and the town centre.</p> <p>Ensure ease of walkable access to the town centre of Tuakau (i.e. the subject site is 450 metres from the CBD).</p> <p>Enables more variety of living environments.</p> <p>Provides additional housing stock through enabling medium density residential development.</p> <p>Increased certainties around expectation for future urban form.</p> <p>Cultural</p> <p>The application of qualifying matters will assist in protecting the mauri of the waterbodies through setbacks, planting and possible protection.</p> <p>The application of qualifying matters will assist in reducing the potential degradation of the Waikato River Catchment.</p>
<p><b>Efficiency and Effectiveness:</b></p>	
<p>A proposed zone change will ensure the subject land can be developed to an optimal density making efficient use of infrastructure that is available while effectively ensuring that the natural features of the site appropriately protected and topographical considerations are appropriately managed.</p>	



## 9. Risk of Acting or Not Acting

There are significant risks in not acting (maintaining Option 1) or having uncertainty in the controls (Option 2) for rezoning the land to MDRS/MDRZ 2. If the provisions are not amended to appropriately manage development, then sub-optimal development will occur and inefficiencies in infrastructure will result. It may also result in a greater adverse effect on the receiving waterbodies through less requirements for environmental protection. Uncertainties around expectations for such a site may also result in reduced amenity values for surrounding properties owners.

The proposed change to include the site as MDRZ -2 with a qualifying matter (Option 3) would not place any further consenting requirements on the neighbouring landowners than those that are currently in place under the Operative Plan. The amendments align with the Future Proof Strategy, accommodating growth through a more compact urban form based on concentrating growth in and around the town centres. Rezoning the land to include the subject site within the MDRZ 2 zone is considered to an efficient use of the residential land resource and will give effect to Policy 3 of the NPS-UD.

## 10. Summary for Deciding on the Most Appropriate Option (Option 3)

The evaluation provided above, including the costs-benefit, and efficiency and effectiveness assessments have shown that overall, the proposed changes under Option 3 is the best practicable option and most appropriate way to achieve the requirements of the NPS-UD.

A proposed zone change will ensure the subject land can be developed to an optimal density making efficient use of infrastructure that is available while effectively ensuring that the natural features of the site appropriately protected and topographical considerations are appropriately managed.