

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato District Plan

**SUMMARY STATEMENT OF EVIDENCE OF ANTHONY JAMES
BLOMFIELD FOR DILWORTH TRUST BOARD IN RELATION TO
HEARING 18 – RURAL ZONE**

25 SEPTEMBER 2020

1. INTRODUCTION

1.1 My name is Anthony James Blomfield. My qualifications and experience is set out in my Evidence in Chief (EIC) for Dilworth Trust Board for Hearing 18 Rural Zone.

1.2 I have prepared this summary statement to assist the Panel in relation to the key outstanding issues as set out in my EIC.

2. APPROPRIATE PROVISIONS FOR THE DILWORTH RURAL CAMPUS AND EDUCATIONAL FACILITIES

2.1 The key issue that has been identified by Dilworth's submission, is of how to appropriately provide for the operation and development of the Rural Campus activity, which is 'at odds' with the outcomes that are anticipated by the provisions for the Rural Zone in the Proposed Plan.

2.2 The relief sought by Dilworth is to insert a site-specific policy for the Rural Campus, and to implement this policy by establishing a suite of 'Specific Activity' provisions for the Rural Campus. The detailed relief sought by Dilworth has been allocated to Hearing 25.

2.3 My EIC addresses:

- (a) the need for a new policy in the Rural Zone that would specifically recognise and provide for the Rural Campus (which would be implemented by the Specific Activity provisions that Dilworth seeks); and
- (b) the appropriateness of the objectives and policies for the Rural Zone in respect of 'educational facilities' generally, in response to the Council's 42A Report which recommends that such activities are provided for as Restricted Discretionary activities, and have recognition in the policies for the zone.

2.4 In respect of the latter point, the 42A Report seeks to provide for educational facilities in Policy 5.3.9 (for 'other anticipated activities in rural areas'). The policy would enable such activities to occur where

they are in keeping with rural character and amenity values, and are consistent with managing urban growth. I have recommended minor amendments to this policy, together with Objective 5.1.1, to clearly recognise educational facilities in the Rural Zone rather than relying on definitions for ‘community activities’ or ‘community facilities’ which do not incorporate educational activities.

2.5 In response to my EIC, the following experts have filed rebuttal evidence:

- (a) Lynette Pearl Wharfe for Horticulture New Zealand; and
- (b) Richard Matthews for Genesis Energy Limited.

2.6 The above experts disagree with the recommendations that I have made in my EIC in relation to making amendments to Objective 5.1.1 and Policy 5.3.9 to clarify that educational facilities are to be provided for in the Rural Zone. The rebuttal evidence filed by the experts above is generally concerned with providing for educational facilities in the Rural Zone, where such activities may not have a functional or operational need to be located in the Rural Zone.

2.7 I acknowledge that there are often tensions between the primary function of rural environments, and other ‘non-rural’ activities that seek to locate in such environments. While I do not consider that the clarifications that I have recommended to the Rural Zone provisions unjustifiably elevate educational facilities in this context, the concerns raised by the experts for Horticulture NZ and Genesis reinforce the issue at the heart of Dilworth’s submission, which is how to best recognise and provide for the Rural Campus.

2.8 In my opinion, it is necessary to provide for the Rural Campus with site-specific provisions, in reflection of the long tenure of the activity (and historic ‘non-rural’ activities at the site) in this environment, and the need to provide for the activity in the future.

2.9 The expert rebuttal evidence referred to above does not comment on my recommendations to include a site-specific policy for the Rural Campus.

3. COUNCIL'S 42A REBUTTAL EVIDENCE

- 3.1 The 42A Rebuttal Evidence prepared by Jonathan Clease acknowledges that “*scheduling is a useful tool for addressing site-specific existing activities that are not generally anticipated (as permitted) within the zone*”.¹ Mr Clease states that the Rural Campus would benefit from scheduling, but states that a decision as to whether or not to include scheduling as a tool is a plan-wide consideration. Mr Clease has not responded to my evidence in relation to the need for a site-specific policy for the Rural Campus.
- 3.2 In the event that scheduling is not a tool which is recommended by the Panel, Mr Clease has recommended a site-specific permitted activity status for the activity at the site. The recommended rule is limited to “maintenance, operation, and alterations”, and would be subject to a standard which would require that alterations do not increase the net floor area. Any development that goes beyond the constrained parameters of the permitted activity would fall to be considered as a Restricted Discretionary activity (under the changes to the rules that are recommended in the 42A Report).
- 3.3 In my opinion, the permitted activity rule that has been recommended by Mr Clease is unreasonably limited, and will constrain the efficient and appropriate use and development of the Rural Campus. Under the recommended rule, no further development could occur on the Rural Campus site without requiring a resource consent. This would implicate small-scale but essential activities such as constructing a small toilet block, or a caretaker’s shed. In my opinion, this is an inefficient use of resources, and would generate unreasonable costs to Dilworth (and the Council).
- 3.4 Again, this reinforces the need for a site-specific solution to providing for the Rural Campus. I will address the specifics of this in Hearing 25.

¹ paragraph 14

Anthony James Blomfield

25 September 2020