

**BEFORE THE HEARINGS PANEL FOR
WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of submissions to the Waikato District Council Proposed
District Plan by **Vineyard Road Properties Limited**

STATEMENT OF EVIDENCE OF NICK WILLIAMSON

for Vineyard Road Properties Limited

REPLY TO SUPPLEMENTARY REBUTTAL EVIDENCE ON REZONING TOPIC 25 – TE KAUWHATA

Dated 20 May 2021

STATEMENT OF REPLY

1. The willingness of the reporting planner to reflect on, and revisit their recommendation is commendable and supported. I agree with their sensible and logical conclusion that the land supply requirements of the NPS-UD require a minimum rather than a target capacity be provided for future housing demand.

Future Proofing (Urban Transition)

2. The reporting planner suggests that it is easier to retrofit 5,000m² lots than 3,000m² non-reticulated lots (“let alone 1,000m² lots”) to urban densities. In my 27 years’ crafting policy and managing growth in rural village, peri-urban, and urban areas, that has not been my experience. Their conclusion is also at odds with their fellow reporting planner who said in paragraph 65 of the report on Topic 6 (Village Zone):

The Countryside Living Zone is an ‘end state’ zoning in the Operative Plan, insofar as it does not have a ‘future proof’ element or expectation that further subdivision will be possible; rather it is intended as a long-term, very low density, lifestyle block outcome.

3. In my experience, a non-fanciful approach requires that both the economics of land development and the investment of human emotion be factored into the equation, as I will illustrate as below.



Figure 1 – Established Country Living Zones – Lake Rotokauri (left) | Tamahere, Hamilton (right)

4. The Country Living Zone has a *minimum* lot size of 5,000m² – which means subject to topography, market demand, and lifestyle preference, they will be on average larger than that. The image on the left in *Figure 1* above is an established Country Living Zone on the southern side of Lake Rotokauri, northwest of Hamilton. The image on the right is the Newell Road area in Tamahere, southeast of Hamilton. Neither of these locations can be readily transitioned to urban densities of 1:450m² as the reporting planner envisages for Vineyard Road.

5. *Figure 2* below illustrates why the Country Living Zone is a ‘final form’ of development. The owners of these Dromara Drive properties (at Lake Rotokauri) have invested a significant amount of capital to optimise their sites for their individual needs. The dwellings in this zone are large. None of the existing dwelling footprints would comfortably (let alone compliantly) fit on a 450m² urban allotment. They most certainly would not retain the privacy, amenity, and outlook they presently enjoy, even if were they to be fortuitously rezoned Residential.



Figure 2 – Established Country Living Zone – Dromara Drive, Lake Rotokauri

6. Country Living zones encourage a generous use of space. As can be seen in *Figure 2* above, the resident’s desire for privacy (balanced against the desire for a view of the water) means that the dwellings themselves become equidistant. The area of curtilage immediately surrounding the dwelling is proportionate to the resident’s enthusiasm for gardening and lawn maintenance. Those with ‘green thumbs’ or sufficient appetite to employ maintenance contractors will have a large curtilage. Those that do not will tend to fence off the ‘low maintenance’ areas (shown in orange in *Figure 2*) for livestock grazing. The extent to which land is used ‘efficiently’ for housing (versus productive uses) generally boils down to the economics of land development, versus the ‘lifestyle dream’ of the individual resident.

7. The reporting planner is recommending that Country Living be retained as a transition to a fully urban (1:450m²) urban density.
8. Instead, I suggest you look at the Village Zone as a more suitable transition to urban. Take the Port Waikato Village Zone for instance:



Figure 3 – Established Village Zone – Dromara Drive, Port Waikato

9. In the Village Zone the minimum site size for non-serviced areas is 3,000m². Where reticulated services are available, a minimum lot size 800m² is proposed. [Refer Hearing 6 s42A Report Appendix 5]. Figure 3 above illustrates the proposed Village Zone in an established area of Port Waikato. Look at the dwelling footprints relative to allotment sizes and shapes, relative to roading patterns. There is a much clearer path to doubling the density of Port Waikato to achieve the reporting planner’s suggested 1:450m² density when the starting lot size is based on the 1:800 Village Zone rather than the 1:5000 presently recommended for the Country Living Zone (as demonstrated in Figure 2 previously).

Scope of Submission

10. The original submission by Vineyard Road Properties Limited related to:
 - a. The Country Living Zone (“CLZ”) provisions (Chapter 23) ; and
 - b. The Village Zone (“VE”) provisions (Chapter 24) ; and
 - c. Map 14.1 of the Proposed District Plan; and
 - d. Any consequential provisions of the Proposed District Plan to give effect to our submission.

11. The relief sought was:
 - a. That the subject properties be rezoned to VZ; and
 - b. That the minimum net site area for general subdivision in the VZ* be reduced to 2000m² whether or not the lots are publicly reticulated; and /or **[Emphasis added]*
 - c. Such other relief as may be necessary to give effect to the concerns raised in this submission.

12. As outlined in my original statement of evidence, the submitter has agreed to reduce the physical extent of the submission to those properties owned by Muirlea Limited.

13. The submission by Vineyard Road Properties Limited was also considered under Hearing Topic 6 – Village Zone. At paragraph 64 of that report the reporting planner states:

The Vineyard Road area does present as a different context to the Village Zones more generally. The Village Zones typically apply to small settlements that are long-established and have an existing character that has experienced little change over recent years. These established areas also typically have the majority of lots sized well below 5,000m², i.e. their existing character is close to (or below) the proposed minimum lot size threshold. The Vineyard Road area in contrast is a greenfield growth area that is still being built out, and therefore its character is still evolving.

14. At paragraph 9 of the reporting planner’s most recent s42A rebuttal evidence, it is said that *“Muirlea has only requested a Village Zone and no other alternative that could enable a more intensive form of subdivision and development compared to the status quo CLZ”*. This statement is slightly confusing if one were to properly considers the options available.

15. Muirlea [Vineyard Road Properties] Limited requested that the Village Zone be applied to the identified properties on Vineyard Road, Te Kauwhata. There was no land within the Te Kauwhata Urban Footprint proposed to be Village Zone in the Waikato Proposed District Plan, so it is not surprising that Te Kauwhata is not specifically contemplated in the Village Zone provisions.

16. There are essentially two categories of Village Zones proposed in the WPDP. Those where reticulated services are available (in the future development areas) - being the settlements of Tuakau and Te Kowhai - and those where the Village Zone constitutes the 'final form of development' (being "*outside Te Kowhai and Tuakau*").

17. The two categories of Village Zone are described in the s42A report for Hearing 6. On the one hand:

"The proposed Village Zone is an amalgam of existing Operative Plan zones into a single consistent framework. The primary focus of the Village Zone provisions is on the District's smaller settlements where there are long-established pockets of housing at generally low densities and in locations that are surrounded by extensive rural areas. These smaller settlements are largely unserviced or lacking spare capacity in the waters networks, and are in locations where further high levels of growth are not contemplated by the Proposed Plan's strategic approach of managing urban growth through consolidation in and around the larger townships"¹

18. On the other hand:

"The Village Zone has a different context in Tuakau and Te Kowhai, where large blocks of greenfield land that has a Rural Zoning in the Operative Plan are proposed to have a Village Zone, thereby providing for large lot urban growth. The Village Zone within Te Kowhai is identified as an urban growth area within the Future Proof Strategy set out in the WRPS. Tuakau is outside of the geographic scope of the Future Proof Strategy, but growth around this township is anticipated in the Franklin Growth Strategy, albeit that the proposed Village Zone extends beyond the boundaries anticipated in that strategy. The principle of these townships being suitable locations for further urban growth is not addressed by many submitters, however the integration of that growth with reticulated services and the consequential development potential has been challenged."²

19. The proposed Village Zone on Vineyard Road, Te Kauwhata falls within the second category in my view. Like Tuakau and Te Kowhai, Vineyard Road contains large blocks of land identified in the Future Proof Strategy as an Urban Growth Area where reticulated services are available. At Appendix 5 of Hearing Report 6 (Village Zone) the Subdivision and Land Use provisions of the Village Zone draw a distinction between Te Kowhai and Tuakau Village Zones, and Village Zones 'Outside Te Kowhai and Tuakau'.

Conclusion

20. In my view the undeveloped area of Vineyard Road in Te Kauwhata (given its proximity to 'available public utility services'³) more appropriately falls within the (serviced – future urban) category of Village Zone than the (unserviced – final form) category of Village Zone. As such, it is my view that the Hearings Panel could

¹ Proposed Waikato District Plan Village Zone - Subdivision Section 42A Hearing Report Paragraph 281

² Proposed Waikato District Plan Village Zone - Subdivision Section 42A Hearing Report Paragraph 282

³ Refer Framework Report for Hearing 25

grant the relief sought by Muirlea Limited by quite reasonably and appropriately applying all WPDP Village Zone Provisions (as relating to Te Kowhai and Tuakau) to the undeveloped area of Vineyard Road.

21. Given the relatively abrupt changes of view of the Hearing 25 Reporting Officer, and the limited time made available for us to reconcile the generally disparate views expressed by the s42 report authors generally, we are mindful of the need to provide the hearings panel with a consistent and coherent narrative on this topic. In this respect, we would be happy to provide further commentary or explanation of our position should the hearings panel find this helpful.



NE WILLIAMSON

20 May 2021