

BEFORE THE WAIKATO DISTRICT COUNCIL HEARING COMMISSIONERS

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato District Plan –
Strategic Objectives (Hearing 3)

STATEMENT OF EVIDENCE OF KENNETH JOHN TREMAINE

**On behalf of the
Future Proof Implementation Committee**

1. INTRODUCTION

A. Qualifications and Experience

- 1.1 My full name is Kenneth John Tremaine. I am the director of Ken Tremaine Consulting Limited, which I founded in Auckland in 2000. Prior to this time I was the Director of the Local Government and Resource Management Unit of KPMG Management Consulting (Auckland) from 1993 to 2000. Before then I was Director of Planning at Palmerston North City Council from 1976 to 1993.
- 1.2 My academic qualifications include a Bachelor of Arts and a Postgraduate Diploma (Credit) in Urban Geography and Political Science from the University of Otago, and a Masters of Town Planning from the University of Auckland. I am also a full member of the Royal Town Planning Institute (United Kingdom), the New Zealand Planning Institute, and the Resource Management Law Association of New Zealand.
- 1.3 I have more than 40 years of professional experience in senior roles in local government, central government, and the private sector, spanning the following areas:
- Planning and resource management, including the development and implementation of regional policy statements and plans, and district/city plans under the Resource Management Act 1991 ("RMA 1991" or "the Act");
 - Spatial planning and growth management, including the integration of land use¹, infrastructure, transportation, and funding under the RMA 1991, the Local Government Act 2002 ("LGA 2002"), and the Land Transport Management Act 2003 ("LTMA 2003"); and
 - Central Government policy, and statutory and regulatory reform.
- 1.4 I was the sole representative of the planning profession appointed to the Upton Review Group in 1990 which completed the drafting of the RMA 1991 in its final form. I have continued to be involved in Central Government policy and regulatory development since that time.

¹ I will use the term "land use" as an equivalent to the RMA 1991 term "activity".

- 1.5 I have extensive experience in growth management strategy development and implementation at the regional and district levels, particularly through regional policy statements and district plans. My growth management experience includes:
- The *Future Proof Strategy* in the Future Proof sub-region (being the territorial administrative areas of Hamilton City, Waikato District and Waipa District);
 - The *SmartGrowth Strategy* in the western Bay of Plenty sub-region (being the territorial administrative areas of Tauranga City and the Western Bay of Plenty District);
 - The *Greater Christchurch Urban Development Strategy* for the Greater Christchurch sub-region (being the territorial administrative areas of Christchurch City, Waimakariri District and Selwyn District);
 - *Taupo District 2050* - the growth strategy for Taupo District;
 - *Sustainable Futures 30/50* – the growth strategy for Whangarei District;
 - *Heretaunga Plains Urban Development Strategy* – the growth strategy for Napier City, Hastings District and Hawke’s Bay Regional Council.
- 1.6 Since 2015 I have also been a project advisor to the Waikato Plan project. This is a comprehensive spatial plan and strategic direction document for the whole of the Waikato region.
- 1.7 Recently, and as part of my Future Proof role, I have also been closely involved with the Hamilton to Auckland Corridor Plan and associated workstreams.

B. Waikato Region and Waikato District Experience

- 1.8 Currently I hold the position of Implementation Advisor for *the Future Proof Strategy* ("Future Proof" or "Strategy"). The Future Proof sub-region is an area with ongoing population growth as well as significant levels of development. The Strategy was developed by Hamilton City Council, Waikato District Council, Waipa District Council, the Waikato Regional Council, tāngata whenua and the New Zealand Transport Agency ("NZ Transport Agency"). The Strategy was completed in the broad context of the LGA 2002 to look at how the Future Proof sub-region should develop sustainably into the future.
- 1.9 I have been a project and implementation advisor to the Future Proof project since its inception in 2007. I have been responsible for overseeing the Strategy's

research, drafting, hearings / adoption, implementation and update phases. Future Proof undertook a phase 1 update to the Strategy in 2017 which was adopted by all of the partners. We are currently undertaking a phase 2 update in order to ensure we meet the requirements of the National Policy Statements, in particular the Proposed National Policy Statement on Urban Development (“NPS-UD”) and that we incorporate the findings and outcomes of the Hamilton to Auckland Corridor project.

1.10 I have read the *Proposed Waikato District Plan* (“PDP”) which was notified by the Waikato District Council on 18 July 2018 and forms the subject of these proceedings.

1.11 The Future Proof Implementation Committee (“FPIC”) prepared a primary submission on the PDP which included submissions relating to the strategic objectives. The FPIC is a joint committee under Clause 30A of Schedule 7 of the LGA 2002 and is tasked with implementing Future Proof. My evidence will reiterate the FPIC’s main primary submission points as they relate to the strategic objectives.

1.12 I have also read the Council’s Section 42A Report which was released on 30 September 2019.

1.13 As a result of my experience, I have a comprehensive working knowledge of developing and implementing district plans under the RMA 1991. Furthermore having been involved in the sub-region on a number of issues associated with Future Proof implementation, I also have considerable knowledge of:

- a) Growth issues facing the Future Proof sub-region;
- b) The Future Proof Strategy that sits alongside the Waikato District Council’s policy framework;
- c) The context for the Waikato PDP; and
- d) The role of other key documents, including the Waikato Regional Policy Statement (“RPS”).

C. Code of Conduct

- 1.14 I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2014) and I agree to comply with it. In that regard I confirm that this evidence is written within my expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. EVIDENCE SCOPE

- 2.1 My evidence brief covers the following:

- a) The Future Proof Strategy;
- b) The Strategic Direction and Objectives of the Waikato PDP and how these relates to Future Proof;
- c) The Waikato Regional Policy Statement (“RPS”);
- d) Other strategic processes underway;
- e) The FPIC’s main submission points in relation to the strategic objectives;
- f) The recommendations of the Section 42A Report; and
- g) Conclusions.

3. THE FUTURE PROOF STRATEGY

- 3.1 As stated in paragraph 1.8 of my evidence brief, Future Proof is the growth management strategy for the Future Proof sub-region. The Strategy emerged as a result of concerns about the lack of collaboration and leadership in the management of growth across Hamilton City, Waipa District and Waikato District’s territorial boundaries.² The administrative areas of these three territorial authorities are projected to contain 89%³ of the entire Waikato region’s population growth out to 2031. This increase in population and employment presents a number of

² *Future Proof Strategy*, 2017, page 14.

³ Demographic projections completed for Future Proof by the National Institute of Demographic and Economic Analysis (University of Waikato), 2015, using data from 2013-2031

challenges, especially in terms of managing the cumulative effects of this growth over time.

3.2 With the aim of creating a strong and sustainable future for the Future Proof sub-region, the Strategy's partners first came together in 2007 to consider some of the challenging issues associated with growth including future urban and rural land use, natural and cultural resources, and essential infrastructure. The partners have been working together over the last 10 years or more on growth management.

3.3 The Future Proof Strategy is focussed on:

- Long term vision and guiding principles
- Growth forecasts for the sub-region
- Identifying a settlement pattern for the sub-region, including distribution and timing of growth in settlements and rural areas
- Identifying strategic infrastructure needs along with timing for growth areas
- Implementation, and in particular a programme of priority actions
- Taking a responsive and adaptable approach through monitoring and review

3.4 Future Proof has been developed within the broad context of the LGA 2002 and it takes a strategic, integrated approach to long term planning and growth management. The Strategy identifies 30-year land supply needs⁴ in the sub-region and sequences its release and development according to its ability to be serviced by appropriate infrastructure and equitable funding.

3.5 Future Proof seeks to provide a consistent knowledge base and vision for its partner councils and other agencies in order to plan for, and sustainably manage growth in an integrated manner. Therefore the Strategy's operational and implementation processes have been designed to be consistent with the three major planning statutes relevant to local government being the RMA 1991, LGA 2002 and the LTMA 2003. This approach supports the Future Proof partner councils of the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council, in achieving their compliance obligations across all three planning statutes during Strategy implementation.

⁴ *Future Proof Strategy*, 2017, pages 35-37.

- 3.6 The strategic approach underpinning Future Proof is a blend of compact settlement and concentrated growth. The Strategy supports a fundamental shift in growth management from focusing largely on accommodating low-density suburban residential development to supporting a more compact urban form. The majority of growth is to be concentrated in Hamilton City and the main townships of Waipa and Waikato Districts. This is the basis for the sub-regional settlement pattern contained in Future Proof⁵. An anchored land use or settlement pattern allows the costs of growth to be identified early which can deliver a more cost-effective form of infrastructure. It also provides land use certainty to the community, developers, local government and central government.
- 3.7 It is important to also point out that the Future Proof settlement pattern was mandated by the sub-regional community. The strategic options for land use were publicly consulted on as was the draft Strategy. The scenarios were also evaluated through a set of criteria derived from the Future Proof Strategy vision. The preferred settlement pattern scenario which forms the basis of the Future Proof Strategy was selected on the basis of the public feedback and the evaluation results.
- 3.8 The sub-regional settlement pattern is the cornerstone of the Future Proof Strategy⁶ and is a key part of the integrated approach to land use, infrastructure and funding.
- 3.9 The Future Proof settlement pattern is also crucial to achieving the sustainable management of growth for the sub-region and the wider region as anticipated by Part 2 of the RMA 1991, in particular section 5(2) of the Act to manage *“the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety...”*
- 3.10 The Future Proof Strategy was updated in 2017. The Strategy update was publicly consulted on using the Special Consultative procedure of the LGA 2002. The revised document has not altered the fundamental principles of the Future Proof

⁵ *Future Proof Strategy*, 2017, pages 26-37. Detailed settlement pattern tables are contained in Appendix 1 of the Strategy.

⁶ *Future Proof Strategy*, 2017, page 26.

Strategy or the overall approach to the settlement pattern. The main reason for undertaking the update was to ensure that the Strategy is current, taking into account the changes that have occurred since 2009 such as the Auckland boundary change and the release of Census data.

3.11 The Waikato PDP helps to give statutory effect to the Future Proof sub-regional settlement pattern through its objectives, policies and rules. The strategic directions and objectives in particular provide an overarching framework for the rest of the PDP and these are well aligned with the Future Proof Strategy.

3.12 The Future Proof Strategy will undergo its phase 2 update in 2020. This update will incorporate the requirements arising out of the Proposed National Policy Statement on Urban Development as well as other national direction, for example the Proposed National Policy Statements on Highly Productive Land and Freshwater Management and the Government's Urban Growth Agenda. Importantly, it will also incorporate the outcomes of the Hamilton to Auckland Corridor Plan, which I will outline in further detail later in my evidence.

4. STRATEGIC DIRECTION AND OBJECTIVES

4.1 The Future Proof submission supports, with amendment, the Strategic Directions and Objectives for the District contained in section 1.12 of the Waikato PDP.

4.2 The strategic objectives are consistent with the Future Proof Strategy. For example, they are consistent with Future Proof principles contained in section 1.3 of the Strategy⁷ relating to:

- Maintaining, enhancing and creating important ecological areas
- Towns and villages retaining their distinct identifies
- Promoting increased densities in residential development and more intensive redevelopment of existing urban areas
- Encouraging development to locate adjacent to existing settlements and providing housing and lifestyle choice

⁷ *Future Proof Strategy*, 2017 at pages 10-12

- Ensuring development is planned to support safe and efficient transport infrastructure, including public transport provision and reduced dependence on motor vehicles

4.3 In my opinion, there is good alignment between the strategic direction and objectives of the Waikato PDP and the Future Proof Strategy.

5. THE WAIKATO REGIONAL POLICY STATEMENT

- 5.1 The Proposed Waikato Regional Policy Statement was made operative on 20 May 2016.
- 5.2 The RPS, particularly in Chapters 6 to 6D on the Built Environment, implements a Future Proof priority action to develop and notify a proposed change to the Waikato RPS. The aim is to anchor the Future Proof sub-regional policy framework and long term settlement pattern. This has now been achieved.
- 5.3 The RPS sets the direction for growth management in the Waikato region. The RPS also provides district plans with policy direction in key areas, including the strategic integration of infrastructure with land use as required by Section 30(1)(gb) of the RMA 1991.
- 5.4 The RPS gives statutory effect to the Future Proof sub-regional settlement pattern through the use of urban limits, outlining growth allocations, providing for target residential densities, and the identification of growth areas and associated timing.
- 5.5 The strategic direction and objectives of the Waikato PDP have broad alignment with the built environment objectives of the RPS.⁸
- 5.6 A change to the RPS is scheduled to occur in the next year which would include updates to implement the 2017 Future Proof Strategy, the updated Future Proof Strategy in 2020 and the outcomes of other strategic processes such as the

⁸ For example, integrating land use and infrastructure planning; preserving and protecting natural character; providing for a range of commercial development to support the social and economic wellbeing of the region (Operative Regional Policy Statement, 2016, Section 3.12)

Hamilton to Auckland Corridor Plan and key workstreams such as the Hamilton-Waikato Metro Spatial Plan.

6. OTHER STRATEGIC PROCESSES UNDERWAY

- 6.1 There are currently other strategic planning processes underway that will have an impact on the Waikato District Plan.
- 6.2 The Hamilton to Auckland Corridor Plan initiative was announced in early 2018 as a joint Central Government, Local Government and iwi project to consider growth in the corridor that stretches from Papakura in the north to Te Awamutu in the south. The purpose of the project is to develop an integrated spatial plan and establish an ongoing growth management partnership for the transport corridor. It forms part of the Government's Urban Growth Agenda.
- 6.3 A shared spatial intent has been developed for the Hamilton to Auckland Corridor which outlines growth management objectives, five key focus areas and 20 initiatives.
- 6.4 In August 2019, the Hamilton to Auckland Corridor initiative became part of the Future Proof structure and the Future Proof Implementation Committee now has expanded membership for Corridor Plan matters. Future Proof is now responsible for overseeing the Hamilton to Auckland Corridor Plan and its various initiatives.
- 6.5 The detail of the Corridor Plan lies in the 20 initiatives. They include some important workstreams that will have a bearing on the Waikato PDP, such as a spatial plan for Pokeno, work on the River Communities, the Hamilton-Waikato Metro Spatial Plan, a sub-regional three waters project, the rail service between Hamilton and Auckland as well as other transport initiatives.
- 6.6 The Waikato PDP was notified before any detail on the Hamilton to Auckland Corridor Plan was known. While some areas are starting to become clear in terms of future direction, many others still require further work.
- 6.7 Waikato District Council is also embarking on a Waikato District Growth Strategy. Future Proof is very supportive of this work and I believe it will be an important

document to inform the Waikato PDP process. This will be the first time that the costs of growth can be properly identified, and decisions made around what is affordable. This will then enable the hearing commissioners to make confident decisions around land zonings.

- 6.8 From what I understand, the general direction of the Waikato District Growth Strategy is not out of alignment with the strategic direction and objectives of the Waikato PDP. The Growth Strategy will provide important information in terms of logical growth areas, their staging and timing, development that will support good transport outcomes, infrastructure requirements and funding impacts. This will help the Council to decide how much growth it can afford to fund as well as using financial analysis to determine the most cost effective locations for this growth. The Growth Strategy will be a useful tool to help guide the Waikato PDP.
- 6.9 Waikato District Council has also undertaken a Waikato District Blueprint and a series of Local Area Blueprints. These provide the overall vision and act as guiding strategies for the district and the local areas. The Blueprints can assist the Waikato PDP process by setting out what the district and each area wants to achieve as well as their priority initiatives.

7. FPIC'S SUBMISSIONS ON THE STRATEGIC OBJECTIVES

- 7.1 The FPIC's submission on the strategic direction and objectives in section 1.12 was to support these with amendment. The direction and objectives are supported because they align with the Future Proof Strategy.
- 7.2 Future Proof requested amendments to the direction and objectives as we consider that they are hidden in Chapter 1 (Introduction). There are also strategic objectives and policies contained in other chapters which could be moved or reiterated in a separate chapter on strategic directions and objectives. This would provide a strategic overview for the district plan in one place.
- 7.3 In relation to section 4.1 (Urban Environment) of the Waikato PDP, Future Proof generally supports the strategic direction and associated objectives as they are consistent with the Future Proof Strategy.

- 7.4 Our submission point noted that there is work currently underway on the Hamilton-Auckland Corridor Plan and that the Waikato PDP may need to be updated to reflect the outcomes of this work. In particular, changes to the policies for the urban environments may be required. However, at the time the submission was written it was envisaged that the Corridor Plan work would be far more advanced than it currently is. I am of the view that we are not in a position to request specific amendments to objectives or policies at this stage. General consistency with the Hamilton to Auckland Corridor Plan work is desirable and I think the Waikato PDP achieves this.
- 7.5 The Future Proof submission also requested that amendments be made to Section 4.1 Strategic Direction in Chapter 4 (Urban Environment), so that a distinction is made between the growth of towns and villages and a greater concentration of growth in the townships. There is a significant difference between towns and villages in a Waikato District context. The Future Proof Strategy encourages the majority of growth to be located in the main towns of Tuakau, Pokeno, Te Kauwhata, Huntly, Ngaruawahia and Raglan. We are of the view that a stronger distinction should be made between these key towns where most of the district's growth is anticipated to occur and smaller villages.
- 7.6 The Waikato District Growth Strategy is likely to reinforce the importance of the main towns for economies of scale for servicing, especially for transport, and de-emphasise spreading growth across a number of villages given affordability issues.

8. THE SECTION 42A REPORT

- 8.1 Future Proof submitted in support of the directions and objectives but suggested that they could be moved into their own chapter. The Section 42A report has accepted the Future Proof submission and recommended that strategic objectives be moved into their own section within the introduction. Future Proof would prefer to see these grouped into their own chapter given their importance in terms of setting the scene for the whole District Plan.

- 8.2 Future Proof made submissions in relation to Chapter 4 (Urban Environment), section 4.1.1 of the Waikato PDP. The submissions supported the strategic objectives but asked that these be amended to reflect the Hamilton-Auckland Corridor Plan as required. As outlined earlier in my evidence, I am of the view that the Corridor Plan has not progressed far enough for the Waikato PDP to be amended. This will need to happen separately through a variation or plan change. We therefore accept the Section 42A recommendation in relation to that part of our submission.
- 8.3 Future Proof also made a submission requesting that section 4.1 be amended so that a clearer distinction is made between the growth of towns and the growth of villages, with a greater concentration of growth in the townships. This submission point has been rejected in the Section 42A report. I am of the view that distinguishing between the growth of the towns and the villages is important from the point of view of alignment with both the Regional Policy Statement and the Future Proof Strategy.

9. CONCLUSIONS

- 9.1 Future Proof generally supports the strategic direction and objectives of the Waikato PDP as, in my opinion, it gives effect to the Future Proof Strategy and the Regional Policy Statement.
- 9.2 The District Plan is an important document for the Waikato District as it provides the statutory framework for growth management and integrated planning. The District Plan is recognised as a key implementation tool in the Future Proof Strategy.
- 9.3 The Future Proof Strategy has been prepared and adopted within the framework of the LGA 2002 and therefore has weight in these deliberations under section 74(2)(b)(i) of the RMA 1991. The Future Proof Strategy is also consistent with the purpose of the RMA 1991 and other Part II matters.
- 9.4 The FPIC submission is very supportive of the strategic direction and objectives, however we have sought some clarification. The majority of our submission points have been accepted in the Section 42A report and we support those

recommendations. We would still like to see the direction and objectives moved into their own chapter, and within the urban environment component, a greater distinction made between the growth of towns compared to the growth of villages given that most of the district's growth should be concentrated in its main townships.

- 9.5 I am also of the view that the Waikato District Growth Strategy which is currently being prepared by the Council, will provide important strategic direction for the Waikato PDP.

Ken Tremaine

14 October 2019