

**UNDER** the the Resource Mangement Act 1991 ("RMA")  
**IN THE MATTER** of Proposed Whangarei Urban and Services District Plan  
Change: Hearing PC – 8888

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**STATEMENT OF EVIDENCE OF BLAIR TAYLOR MASEFIELD ON BEHALF  
OF DEREK LLOYD ROBINSON, PATRICIA EFFIE ROBINSON AND  
JANETTE EFFIE ROBINSON**

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**PLANNING EVIDENCE**

**7 November 2019**

**1. Summary Statement**

- 1.1 My full name is Blair Taylor Masefield.
- 1.2 I am the Technical Director - Planning at Lands and Survey Ltd in Whangarei.
- 1.3 I am providing planning evidence on behalf of the D, P and J Robinson submission made on the Proposed Whangarei Urban and Services District Plan Change (“**the Proposed District Plan**” or “**PDP**”) insofar as they relate to this hearing.
- 1.4 This evidence relates to the rezoning of Living 3 land to medium density residential (MDRZ).
- 1.5 In summary, the key points addressed in my evidence are:
- (a) The site is currently zoned for residential use. There is no dispute between any parties over the appropriate use of the site for residential use.
  - (b) The site is adjacent to existing medium density zoned land on two sides. Zoning this site MDRZ will better achieve consolidation around the existing urban areas;
  - (c) Compared to the currently undeveloped MDRZ sites to the west of Vinegar Hill Road, the site is flatter and, in my opinion, more readily able to yield MDRZ lot sizes than the steeper MDRZ land to the west. Refer **Figure 3** in Appendix A.
  - (d) In my experience ‘retrofitting’ a rural residential area by future up-zoning to enable infill development results in a less efficient pattern of development and overall dwelling yield. Owners generally place houses in the centre of lots, irrespective of their size and Rights of Way and multiple ownership frustrate infill attempts.
  - (e) The site is in proximity to the Tikipunga Local Commercial Centre and Whangarei Bus Network. Aside from Wastewater capacity, the s42A author has identified no other MDRZ s32 criteria that the site cannot achieve/fulfil.

- (f) The Long-Term Plan (LTP) expressly acknowledges that not all infrastructure projects required over a 10 year timeframe can be identified and captured and it maintains flexibility. The LTP also identifies development contributions and alternative funding options available for infrastructure upgrades to address projects not identified; and
- (g) In the event the site was zoned MDR and development based on reticulated wastewater connection was not feasible, the provisions of the MDRZ do not set a maximum lot size so the site can still be developed at the Residential zone density with un-serviced sites at or around 2000m<sup>2</sup>.
- (h) In my opinion the primary relief sought by D, P and J Robinson enables the most efficient and effective use of our scarce land resource for residential purposes, in a location that residential development has been determined to be appropriate.

## **2. Introduction**

- 2.1 My name is Blair Taylor Masefield. My professional experience spans 15 years. I am the Technical Director - Planning at Lands and Survey Ltd in Whangarei. I have worked as a planner in local government and consultancy in New Zealand and the United Kingdom. I hold a Bachelor of Resource & Environmental Planning (Hons) degree from Massey University, New Zealand. I am a full member of the New Zealand Planning Institute.
- 2.2 I have experience in a variety of Resource Management Act processes. I regularly lead project teams assembled to secure consents and / or designations for large complex projects. I was a senior member of the Planning team for the Waterview Tunnels and SH16 Causeway Board of Inquiry and was the Planning Lead for the AMETI Stage 2A Consents and Designations including providing expert evidence to the Environment Court. I act for Auckland Council as the Planner for all consent and Outline Plan matters relating to the City Rail Project. I process complex and contentious land use and subdivision application on behalf of Far North Council. I act for numerous private clients seeking land use and subdivisions consents across the Whangarei and Kaipara districts, including preparing evidence and appearing at Council

hearings. I also project manage subdivisions in the WDC jurisdiction from concept to title. Consequently, I am very familiar with the operative WDC plan provisions and their implications for site development through the 223 and 224 process, particularly engineering matters relating to 3 waters, access and land stability.

2.3 I am providing planning evidence on behalf of the Derek Lloyd Robinson, Patricia Effie Robinson and Janette Effie Robinson submission matters made on the rezoning of the site to medium density residential in the Proposed District Plan insofar as they relate to this hearing.

2.4 I confirm that I have read the submission by Derek Lloyd Robinson, Patricia Effie Robinson and Janette Effie Robinson in relation to the Proposed District Plan. I am familiar with the national, regional and district planning documents relevant to the Proposed District Plan.

2.5 It is acknowledged that the submission from WDC Planning seeks to change the zone names to align with National Planning Standards and this is supported in the WDC s42A report. To provide clarity in this evidence, the zone names have been referred to as notified.

### **3. Code of Conduct**

3.1 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. I have also read and am familiar with the Resource Management Law Association / New Zealand Planning Institute "Role of Expert Planning Witnesses" paper. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

### **4. Scope of Evidence**

4.1 This evidence addresses submission points relating to the PDP's medium density residential zone. The s42A report splits these matters into two topics: living zones (Chapter 6) and rezoning submissions (Chapter 8).

4.2 This evidence addresses Derek Lloyd Robinson, Patricia Effie Robinson and Janette Effie Robinson submission point (135.1) on the rezoning to

medium density residential matters within the PDP, as they relate to these matters.

## **5. Strategic Direction**

- 5.1 Objective SD-O3 (as drafted) provides direction to support consolidated growth around existing suburban nodes and to limit sprawl into areas of rural production. The proposal to rezone the land to medium density residential is consistent with objective SD-O3. The site is located in proximity to the Tikipunga local shopping centre which is a suburban node recognised by the Whangarei District Council. This connection to a suburban node is supported by the zoning of the land on the opposite site of Vinegar Hill Road to medium density residential. The land has been zoned residential and is consequently not considered to be rural production land. Medium density residential zoning would better achieve this objective as it will provide for consolidated growth.
- 5.2 Policy SD-P6 (as drafted) seeks to avoid inappropriate urban expansion by enabling development where it is planned and coordinated, and where appropriate infrastructure and services can be provided. This policy also reinforces the above objective, SD-O3. Any development on this site will be coordinated and planned through the subdivision resource consent process which will be a requirement for either residential or medium density residential subdivision. There are no site constraints which limit the ability of the site to be appropriately serviced identified by Whangarei District Council other than cost and this can be achieved through development contributions or targeted rates. Therefore, the proposed medium density residential zoning is consistent with Policy SD-P6.
- 5.3 Policy SD-P8 (as drafted) seeks to provide appropriate housing and business capacity through zoning land where development is feasible and is either serviced with development infrastructure or funding for development infrastructure is identified in the Long Term Plan (LTP). The site is gently sloping and in close proximity to Tikipunga local shopping centre. The majority of the land immediately to the south of the site is currently being developed into medium density residential sites. Therefore, in the foreseeable future it is reasonable to conclude that development will be feasible. While the site is not currently serviced by three waters infrastructure, it is feasible that these services can be extended to include the site. This is addressed in further detail below.

- 5.4 The Whangarei District Council LTP 2018-2028 identifies on page 10 that *“within the stormwater, wastewater and water networks (and to a lesser extent, parks and recreation facilities) insufficient information is available to plan for and prioritise the maintenance and renewal of assets.”* The plan identifies some key wastewater projects for funding but it is clear that there needs to be flexibility applied to the criteria in SD-P8(2) on whether funding for development infrastructure is identified in the LTP. Generally, reticulated wastewater infrastructure is provided for in the LTP, and the funding needed to service the site can be appropriately sourced through development contributions without needing to restructure the proposed funding in the LTP. Therefore, it is considered that the proposed rezoning to medium density residential can be appropriately funded through the mechanisms identified in the LTP (i.e development contributions) and it is considered the rezoning as sought is consistent with Policy SD-P8.
- 5.5 Policy SD-P31(1) (as drafted) sets a list of criteria to address appropriate locations for medium density residential zoning. This list reflects the criteria identified in Table 5 in the section 32 report which was addressed in the primary submission. These criteria for establishing the suitability of the site to be zoned medium density residential can be split into two categories, the site context including surrounding character, reverse sensitivity and proximity to local commercial centres and the physical characteristics of the site including roading, site servicing, natural hazards and versatile soils. These criteria are addressed in the evidence below, and this is intended to support the original assessment of Table 5 in the primary submission.

## **6. Site Context**

- 6.1 The site is located on the fringe of Whangarei city, with medium density residential living zoned on both the southern and western borders.
- 6.2 The sites on the western side of Vinegar Hill Road have been zoned medium density residential and contain very similar site characteristics. The neighbouring sites in my opinion contain more challenging topography for urban development.
- 6.3 The site is currently zoned for residential use, and the relief sought will not change this residential use, simply the density. Therefore, reverse sensitivity has been deemed through the original zoning to be able to be

appropriately managed and this will not change as a result of the relief sought.

- 6.4 The surrounding anticipated pattern of development is for medium density residential on the south and west, moving to large lot residential and lifestyle properties to the north.
- 6.5 The proposed change to medium density residential is consistent with the pattern of development, and would support the growth of Whangarei city to meet the expectations of the National Policy Statement (NPS) on Urban Capacity, with Whangarei city considered to be a high growth area, and to give effect to the District Growth Strategy goal of consolidation.

## **7. Site Suitability for rezoning**

- 7.1 The Vinegar Hill Road corridor has sufficient width to accommodate any widening or improvements needed to support the level of development enabled through the rezoning to medium density residential. This is consistent with the opposite side of Vinegar Hill Road being zoned for medium density residential.
- 7.2 The site is adjacent to sites serviced by Whangarei District Council infrastructure. It is feasible to extend this existing infrastructure, and this extension would be necessary to service the medium density zoning on the western site of Vinegar Hill Road also. Other than the cost of wastewater servicing, WDC has not identified any issue with the suitability of the site to be zoned medium density residential.
- 7.3 As the existing services are provided along Vinegar Hill Road, it is probable that this extension will be to bring these services further along Vinegar Hill Road, which will accommodate development on either side of the road.
- 7.4 The majority of the site is outside the natural hazard flood overlay developed by Northland Regional Council (see **Figure 2**).
- 7.5 The site is not considered to have high risk instability by Whangarei District Council gis mapping (see **Figure 3**).
- 7.6 The natural hazards identified for the site are no greater than those which exist on the opposite side of Vinegar Hill Road, which Council have considered appropriate to zone as Medium Density Residential.

- 7.7 The area of flood prone land for the site is located beside the waterway on the eastern border. This land would likely be vested to Council as the result of any future subdivision due to the current regulations on esplanade reserves which require a 20m reserve to be created for lots under 4ha.
- 7.8 Any flood prone land outside of this likely esplanade reserve would still need to be assessed against s106 of the Resource Management Act for any future subdivision, and therefore it is not necessary to restrict future development at a plan making stage.
- 7.9 The site is already proposed for residential living, and the loss of any versatile soils has been therefore provided for in that residential zoning. The relief sought with the change from residential to medium density residential zoning, does not detract from the decision from Council that this land is appropriate for residential development. The point in contention is simply what density is appropriate at this site.

## **8. Wastewater Network**

- 8.1 The wastewater network currently extends along Vinegar Hill Road, on the southern side of Waitaua Stream (Refer **Figure 1**).
- 8.2 It is feasible to conclude that extending the wastewater network further along Vinegar Hill Road will likely occur and is necessary to support the medium density residential zoning on the opposite side of Vinegar Hill Road.
- 8.3 The s42A report (page 122) identifies insufficient capacity within the existing reticulated wastewater network to absorb the proposed level of development enabled by the rezoning to medium density residential.
- 8.4 To achieve this level of capacity suggested by Council above, the rezoning of land would be entirely dependent on Council providing infrastructure greater than the level of demand before development and rezoning is proposed.
- 8.5 The cost of extending the reticulated wastewater network can be managed through targeted development contributions, asset upgrades as part of development, and targeted rates to upgrade and manage the wastewater network.

- 8.6 Additionally, there are multiple funding options available to Council to assist with upgrades to reticulated wastewater schemes.
- 8.7 Detailed wastewater site servicing would be required at the time of subdivision. It is also usual in my experience for s223 and s224 conditions to require an upgrade to the network infrastructure to meet the demand created by a subdivision.
- 8.8 The rezoning of land to medium density residential would enable development, but would still require that any future development go through the scrutiny of a Council subdivision process and any outcome from this process would need to comply with the Council's Environmental Engineering Standards or provide a reasonable alternative to achieve the same outcome.

## **9. Benefit Cost Assessment**

- 9.1 A change to a medium density residential zone will not preclude the ability of the site to be subdivided to a 2,000m<sup>2</sup> size appropriate for unserviced site development as there is no maximum lot size for this zone.
- 9.2 The cost of not changing the zoning to medium density residential is the preclusion of future medium density residential development as retrofitting an established large lot residential development will always result in a less efficient pattern of development.
- 9.3 Rezoning the site to medium density residential will provide for a greater level of economic growth, as the increased number of lots through the rezoning will increase the economic yield from the site.
- 9.4 Rezoning the site to medium density residential will provide greater employment opportunities as the increased number of lots will require a greater number of dwellings to be built, and these dwellings will provide for an increased population to support the growing Whangarei economy.
- 9.5 The rezoning of the site is considered to be the most appropriate way to achieve the purpose of this Act and the strategic goals of consolidation.
- 9.6 Refusing the relief sought to change the zone to medium density residential is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act,

and will impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.

## **10. Conclusion**

- 10.1 It is appropriate to rezone this area for medium density residential.
- 10.2 This is consistent with the zoning on the opposite side of Vinegar Hill Road and gives effect to the NPS on Urban Capacity.
- 10.3 It is feasible to extend the infrastructure to service the site, and the cost of this extension can be addressed through the subdivision process.
- 10.4 The site meets all the criteria set out in the s32 report for medium density residential zoning.
- 10.5 The proposed extension of medium density residential zoning is consistent with the character of the area.
- 10.6 The relief sought will achieve the strategic goals of consolidation.

**Blair Taylor Masfield**

7 November 2019

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**APPENDIX A - MAPS**

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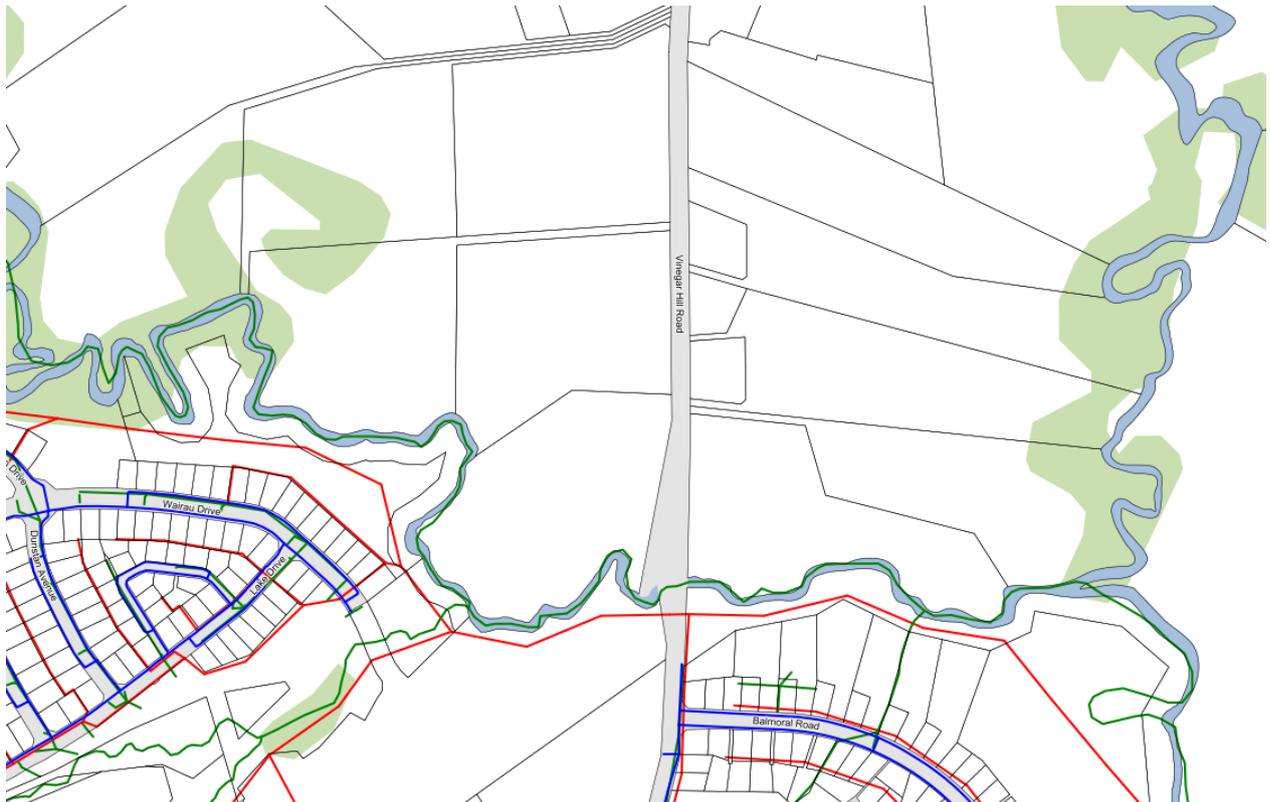


Figure 1: WDC Infrastructure Network - Wastewater (red), Stormwater (blue) and potable water (green)  
Source: WDC GIS



Figure 2: Northland Regional Council natural hazard flood overlay Source: NRC GIS

