

**BEFORE THE WAITAKI
DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991
(RMA)

IN THE MATTER

of submissions on the Waitaki Proposed
District Plan

STATEMENT OF EVIDENCE OF DUNCAN LAWRENCE WHITE

For WJ & GJ Pile Family Trust (Submitter #116)

Dated: 28 September 2026

Statement of Evidence of Duncan Lawrence White

1 Introduction

- [1] My name is Duncan Lawrence White. I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago.
- [2] I have 23 years experience as a planner. I have seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves. For the past 17 years I have worked as a planner for Paterson Pitts Limited Partnership (trading as Patersons). Patersons is a land development consultancy that undertakes a variety of rural and urban subdivision, resource consent applications and plan change work, primarily around the lower South Island. Patersons has offices in Alexandra, Cromwell, Christchurch, Dunedin, Queenstown and Wanaka.
- [3] I prepared submission #116.
- [4] I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and agree to comply with it. I can confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by other parties, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Evidence

- [5] My evidence addresses:
 - a. the zoning relief sought by Submission #116;
 - b. the implications of the withdrawal of the General Rural Zone (GRUZ) from the Proposed Waitaki District Plan (PDP);

- c. the relationship between the Operative District Plan Township Zone and the proposed Settlement Zone (SETZ);
- d. whether Settlement zoning provides the more coherent planning outcome for the site; and
- e. the costs, benefits and alternatives relevant to the relief sought.

3 Background and Change in Planning Context

- [6] Submission #116 was lodged on 16 May 2025. At that time the PDP proposed that the submission site be included within the GRUZ. The submission opposed that zoning and sought SETZ instead.
- [7] The planning context has since changed materially. Following the 2025 amendments to the RMA and the Ministerial exemption process, Waitaki District Council withdrew substantial parts of the PDP on 15 January 2026, including the GRUZ and its mapped zone layer, other than limited references retained for specified provisions.
- [8] Council's legal submissions to the PDP Hearing Panel explain that once provisions are withdrawn they are at an end and have no ongoing status under the RMA. Those submissions also explain that where parts of the PDP have been withdrawn, the relevant provisions of the Operative District Plan continue to apply.¹
- [9] The GRUZ originally opposed by Submission #116 is therefore no longer a zone that can provide the ongoing planning framework for the submission site through the current PDP process. That is important to my assessment because the alternative against which the SETZ relief should now be considered has materially changed.
- [10] In addition to the withdrawal of the GRUZ, the site now has an approved resource consent for subdivision into seven allotments. That consent provides further site-specific information relevant to the appropriate PDP zoning, which I address later in my evidence.

¹ Waitaki District Council, *Legal submissions of Counsel on behalf of Waitaki District Council*, 11 August 2026, paragraphs 2-7.

4 Operative Township Zoning and Proposed Settlement Zone

- [11] The Operative Waitaki District Plan became fully operative on 31 May 2010 and remains the operative planning framework for those matters withdrawn from the PDP. The submission site is presently within the Operative District Plan Township Zone. **Figure 1** shows the site outlined in orange and confirms the Operative District Plan Township zoning.

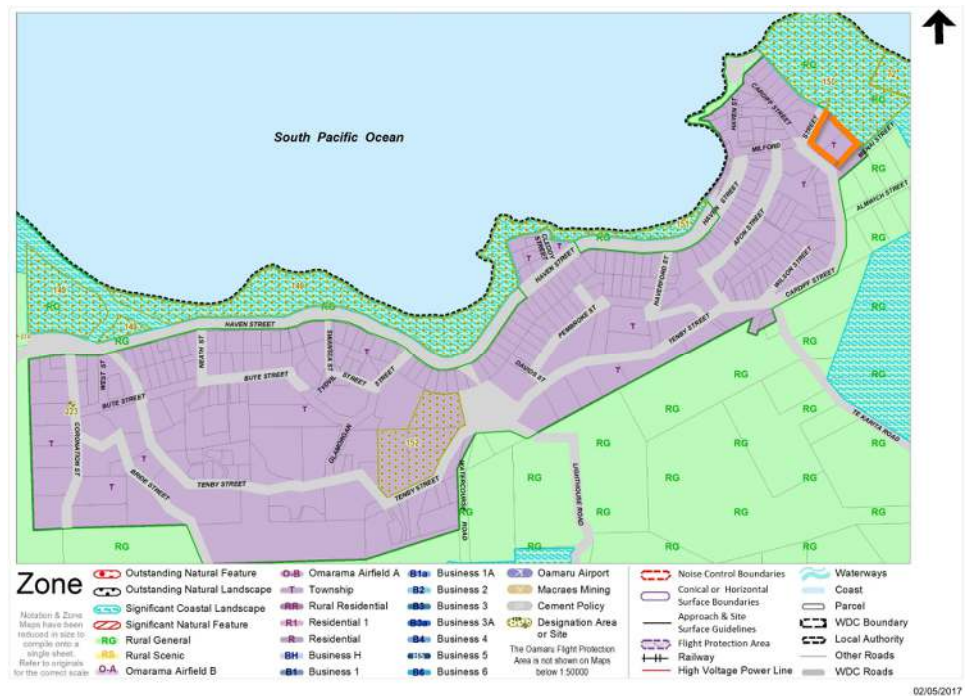


Figure 1 – with the site outlined in orange and showing the site's Operative District Plan Township zoning

- [12] The significance of that existing zoning is that the site is not presently rural-zoned land for district planning purposes. Its Operative District Plan zoning already recognises a settlement or township function. In my opinion, this is an important point when considering the most appropriate replacement zoning through the parts of the PDP that continue.
- [13] The notified PDP proposed three principal rural-zone responses: GRUZ, Rural Lifestyle Zone and SETZ. Council's section 32 evaluation

records that these zones were intended to provide for differing levels and forms of development within the wider rural environment.

- [14] Following the withdrawal of the GRUZ, there is now an additional reason to examine whether SETZ provides the better fit with the site's existing planning status and settlement context. In my opinion, it does.
- [15] SETZ provides a planning framework for smaller settlements where the existing and anticipated character is distinguishable from the productive rural environment. That is, in my opinion, more closely aligned with the site's existing Township zoning and its location within the **Town of Moeraki** than the GRUZ framework originally notified.

5 Effect of the General Rural Zone Withdrawal

- [16] I do not consider that withdrawal of the GRUZ means that every submission opposing GRUZ should automatically be accepted. Each zoning request still requires consideration on its merits.
- [17] However, for Submission #116, the withdrawal removes what was originally the principal competing PDP zoning outcome. Council publicly notified that the GRUZ was withdrawn on 15 January 2026, while the parts of the PDP covered by the Ministerial exemption continue through the hearing process.
- [18] In my opinion, the appropriate question is not should the site be GRUZ or SETZ? Rather, given that the land is already Township zoned under the Operative District Plan, and the notified GRUZ has been withdrawn, does Settlement Zone provide an appropriate continuing PDP zoning to recognise the site's settlement function?
- [19] In my opinion, SETZ provides greater continuity with the Operative Township Zone and a more coherent PDP framework for the site than reliance on the older operative provisions following withdrawal of the GRUZ.
- [20] This also avoids an anomalous outcome whereby land forming part of the existing Town of Moeraki remains subject to an older operative

Township framework solely because the replacement rural zoning originally proposed for it has subsequently been withdrawn.

6 Settlement Pattern and Planning Coherence

[21] Submission #116 originally sought SETZ partly because that zoning is consistent with the wider settlement context of Moeraki. That rationale remains relevant following withdrawal of the GRUZ.

[22] In my opinion, zone boundaries should, where practicable, reflect identifiable differences in land use, character and anticipated environmental outcomes. Applying a settlement-based planning framework to land already zoned Township and forming part of the cadastral Town of Moeraki provides a more coherent planning response than treating the site as part of the surrounding productive rural environment.

[23] I consider there is also a broader plan-integration benefit. The Settlement Zone provides the opportunity for future subdivision, use and development of the site to be assessed under the same contemporary PDP framework applying to comparable settlement land, rather than maintaining an isolated pocket of operative Township zoning.

7 Statutory and Planning Assessment

[24] The purpose of the RMA remains the sustainable management of natural and physical resources. In determining the appropriate zoning response, relevant considerations include the efficient use and development of land, the existing character and development pattern, environmental effects and achieving an integrated district planning framework.

[25] Council's original rural-zones section 32 evaluation assessed the SETZ alongside the GRUZ and RLZ as part of the proposed rural-zone framework.² While the GRUZ component of that framework has subsequently been withdrawn, SETZ provides a PDP mechanism

² Waitaki District Council, *Proposed Waitaki District Plan, Section 32 Evaluation Report: Rural Zones*, sections 1.2 and 7.1-7.4.

specifically capable of recognising established settlement environments.

[26] I consider the relief sought by Submission #116 to be consistent with an integrated planning approach. It would not create an entirely new settlement or establish an isolated pocket of urban zoning within an otherwise productive rural environment. Rather, it would transition land already zoned Township into a contemporary settlement planning framework that more closely reflects its existing and consented development pattern.

[27] I also consider there to be an efficiency benefit in avoiding unnecessary fragmentation of the planning framework. Applying SETZ allows the future use and development of the land to be managed alongside comparable Moeraki settlement land through the continuing PDP rather than leaving the site principally governed by a legacy operative zone.

8 Approved Subdivision

[28] I also consider the approved subdivision of the site to be directly relevant to the zoning assessment. Resource consent 202.2025.2569 authorises subdivision of the land into seven allotments ranging from approximately 786 m² to 1,295 m². The approved scheme plan is shown below in **Figure 2**.

[29] The approved subdivision provides a site-specific indication of the development pattern that can lawfully be established on the land pursuant to that consent. In my opinion, the resulting allotment pattern is more consistent with a settlement environment than with the productive rural character that would ordinarily be associated with a General Rural zoning outcome.

I consider this particularly relevant following withdrawal of the GRUZ. The question is no longer whether the existing Township zoning should be replaced by a rural production-oriented zone. Rather, the appropriate PDP zoning should recognise both the site's existing Township status and the settlement-scale subdivision pattern now authorised through resource consent. In my opinion, SETZ does that

more coherently than leaving the site reliant on the Operative Township provisions.



Figure 2 – Stamped approved seven lot subdivision scheme plan from resource consent 202.2025.2569

9 Section 32AA Assessment

[30] I have considered two principal options:

- a. retaining the Operative District Plan Township Zone as the principal zoning framework for the site following withdrawal of the notified GRUZ; or

- b. accepting Submission #116 and applying SETZ to Sections 2 and 3 Block XIV Town of Moeraki.

[31] The first option would retain the existing planning framework and therefore provide continuity in the short term. It would, however, leave the site governed principally by provisions from the older Operative District Plan despite SETZ continuing through the PDP as the contemporary planning framework for settlement environments.

[32] The second option would transition the site from its existing Township zoning into the PDP Settlement Zone. In my opinion, that option now has the additional advantage of aligning the future planning framework with the subdivision pattern authorised by resource consent 202.2025.2569, which provides for seven lots ranging from approximately 786 m² to 1,295 m².

[33] The principal benefits of SETZ are:

- a. continuity with the existing Township zoning and settlement function;
- b. consistency with the settlement character of Moeraki;
- c. alignment between the PDP zoning and the settlement-scale subdivision pattern already authorised on the land;
- d. incorporation of the site within the contemporary PDP planning framework applying to settlement land;
- e. greater coherence of zoning across the settlement; and
- f. avoiding an outcome where the site remains governed principally by legacy Township provisions solely because the proposed GRUZ replacement has been withdrawn.

[34] The principal potential cost is that SETZ provides for a settlement development outcome rather than the more rural outcome that would have been anticipated by the notified GRUZ. In my opinion, that cost carries limited weight in the present circumstances. The site was already Township zoned when the PDP was notified, and Council has subsequently approved subdivision into seven settlement-scale lots.

The land is therefore neither presently zoned nor, having regard to the approved subdivision, planned to function in the manner that would ordinarily be associated with a General Rural environment.

- [35] I have also considered retaining the Operative Township Zone. That would not prevent implementation of the approved subdivision. However, I do not identify a planning benefit in retaining an older operative zoning framework when the continuing PDP contains a settlement zone capable of providing an appropriate contemporary framework for the site's existing and consented development pattern.
- [36] On balance, I consider SETZ to be the more efficient and effective planning response. It better reflects the site's existing planning status, its approved subdivision pattern and its relationship with Moeraki, while providing an integrated contemporary framework for future use and development

10 Overall Planning Assessment

- [37] The circumstances applying to Submission #116 have changed materially since the submission was lodged. The submission opposed replacement of the Operative Township Zone with the notified GRUZ and sought SETZ instead. The GRUZ was subsequently withdrawn from the PDP with effect from 15 January 2026.
- [38] The site therefore remains Township zoned under the Operative District Plan. In addition, resource consent 202.2025.2569 has approved subdivision of the land into seven allotments ranging from approximately 786 m² to 1,295 m². In my opinion, that consent is relevant because it provides a tangible indication of the settlement-scale development pattern that can now be established on the property.
- [39] I do not consider either the withdrawal of the GRUZ or the approved subdivision, considered individually, necessarily determines the appropriate PDP zoning. Taken together with the existing Township zoning and the site's relationship to Moeraki, however, they provide a strong basis for applying a contemporary settlement planning framework.

- [40] The alternative of relying on the Operative Township Zone would preserve the existing planning framework and would not prevent implementation of the approved subdivision. However, it would leave this land subject principally to legacy provisions while the PDP Settlement Zone provides an available contemporary framework for managing settlement development.
- [41] In my opinion, SETZ better reflects the combination of the site's existing Township zoning, its relationship with the Moeraki settlement and the seven-lot subdivision already approved on the land. It would provide continuity in the anticipated settlement use of the property while integrating its future use and development into the continuing PDP framework.
- [42] Having considered the changed planning context, the existing and consented development pattern, and the alternatives, costs and benefits under section 32AA, I consider Settlement Zone to be the more appropriate planning outcome. I therefore recommend that Submission #116 be accepted and Sections 2 and 3 Block XIV Town of Moeraki be zoned Settlement Zone in the Proposed Waitaki District Plan.

Duncan White

Dated this 28th day of September 2026