
STATEMENT OF EVIDENCE OF EVAN JAMES COOK
ON BEHALF OF
AWAKINO POINT RATE PAYERS INC
PRIVATE PLAN CHANGE 81 – DARGAVILLE RACECOURSE
17 MARCH 2023



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1. **SUMMARY OF EVIDENCE**

1.1 This statement of evidence was prepared in relation to a submission from the Awakino Point Rate Payers Inc (APRP) to Private Plan Change 81(PPC81) to the Kaipara District Plan (KDP).

1.2 PPC81 seeks to rezone the 47ha Dargaville Racecourse site from its existing Rural Zone to a new development area – the Trifecta Development Area (TDA). The TDA is proposed to provide for a mix of light industrial, residential and commercial activities to develop on the site.

1.3 In this statement of evidence, I address the following:

- Context and background
- The effects of the proposal
- Relevant policy statements and plans
- Part 2 of the Resource Management Act 1991 (the Act)

1.4 After carefully considering the information I have been provided, and assessing this material against the relevant statutory documents, I have concluded that:

- The proposal as proposed will have significant adverse effects on the environment with regards to reverse sensitivity, transport, the provision of infrastructure and natural hazard risk.
- The proposal is inconsistent with several relevant higher order plans and policy statements.
- The application does not give effect to the purpose of the Resource Management Act 1991.

1.5 I have recommended that the application be declined.

1.6 If the panel is of the mind to approve the application, I have recommended amendments to the provisions to address some of the issues I raise in my evidence.

2. INTRODUCTION

- 2.1 My full name is Evan James Cook. I am a Director at Whangarei Planning Ltd and have been in this role since September 2021. I am a qualified planner, holding the qualifications of Bachelor of Tourism and Master of Planning from the University of Otago. I have been a full member of the New Zealand Planning Institute since September 2016 and have been a member of the Institute since 2008.
- 2.2 I have worked as a planner in the Northland region since November 2007. My planning experience includes 11 months with a Whangarei based consultancy. This role involved preparing applications for subdivision and land use resource consents, writing and presenting planning evidence at resource consent hearings, assessments of environmental effects, and making submissions on resource consents and proposed District Plan changes.
- 2.3 I commenced employment with Whangarei District Council's Policy and Monitoring Department as Policy Planner (Coastal) in October 2008 and was employed as a Senior Policy Planner between September 2015 and August 2021. This role involved background research and preparation of plan change documents and s32 reports, presenting at Council meetings, workshops and plan change hearings, consultation with the community on Council projects and proposals, making recommendations on submissions, the development of structure plans and plan changes to implement the Whangarei Coastal Management Strategy, making submissions on proposed legislation and regional and national policy documents, liaising with the public, other Council departments and other agencies on resource management and coastal issues, and attending Environment Court mediation and hearings.
- 2.4 As part of my role at WDC, I was involved in the rural and coastal plan changes to the Whangarei District Plan, including preparing provisions and section 32 reports for the Coastal Area, and Rural Living Zone topics. I reported on submissions at the plan change hearing in relation to these topics and was subsequently involved in Environment Court mediation for the Council on various topics. More recently I was involved in the Urban and Services Plan Change where I had a similar role including reporting on the District Growth and Development, and Urban Growth and Development Chapters.
- 2.5 I record that I have read and agree to abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's practice Note 2014. This evidence is within my area of expertise, except where I state that I rely upon the evidence of another

expert witness as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from any opinions expressed.

2.6 I do not consider that I have any conflicts of interest to declare with respect to this hearing.

Scope of Evidence

2.7 My evidence will address the following topics:

- Context and Background
- The Effects of the Proposal
- Overarching Policy Framework
- Other Matters
- Part 2 of the Act
- Conclusion

2.8 In preparing this evidence I have reviewed the following documents:

- The Dargaville Racecourse Proposal and Section 32 Report and Attachments prepared by Lands and Survey Whangarei Ltd.
- The PC 81 section 42A report
- Hearing evidence circulated by the Applicant.
- The National Policy Statements for Highly Productive Land, and Freshwater Management
- The Northland Regional Policy Statement
- The Operative Kaipara District Plan
- The Dargaville Spatial Plan
- The Exposure Draft Kaipara District Plan

2.9 I have also visited the site and viewed the proposed plan change location and the surrounding area.

2.10 In my opinion the issues for hearing are:

- a) The potential effects of the proposal.

- b) The consistency of the proposal with the objectives and policies of relevant higher order documents and the Kaipara District Plan (KDP)
- c) The appropriateness of approving the plan change in accordance with Part 2 of the Act.

2.11 I have addressed each of these issues in my evidence below.

3. CONTEXT AND BACKGROUND

3.1 Dargaville Racing Club Inc has applied for a Private Plan Change to change the zoning of the Dargaville Racecourse under the Kaipara District Plan. The application was accepted by KDC and given the title of Private Plan Change 81 – Dargaville Racecourse (PPC81). The application proposes to change the racecourse’s existing Rural Zone, to a Development Area that provides for a mix of Residential, Neighbourhood Centre, Open Space and Light Industrial.

3.2 In response to the Private Plan Change application, a group of approximately 30 landowners from the Awakino Point and Te Wharau areas formed the Awakino Point Rate Payers Inc (APRP). APRP are concerned about the adverse effects of the proposed plan change and consider that they would be directly affected by the proposal. A map of the locations of properties owned by the APRP is shown in Appendix 1.

3.3 APRP supports the growth and development of Dargaville, and in particular residential development, that is consolidated around existing settlements, and is consistent with the patterns of growth signalled in planning documents.

3.4 I was engaged by APRP to make a submission on the Proposed Plan Change outlining these concerns, and provide planning evidence at this hearing. I also prepared further submissions in response to a number of original submissions on behalf of APRP, and a submission to the exposure draft of the KDP.

3.5 APRP are concerned that the proposal will create adverse effects on the surrounding environment, particularly in relation to three main issues:

- (a) Reverse sensitivity on existing farming operations and the loss of productive rural land.
- (b) Traffic effects and safety at the intersection of SH14 and Awakino Point North Rd.
- (c) The disposal of stormwater and the effects of stormwater on surrounding properties.

- (d) The provision of infrastructure to the proposed development site and the potential effects on existing ratepayers.

3.6 The APRP considers that PPC81:

- (a) Does not give effect to the National Policy Statement for Highly Productive Land (NPS-HPL).
- (b) Does not give effect to the Northland Regional Policy Statement (RPS).
- (c) Is contrary to the objectives and policies of the Operative Kaipara District Plan (KDP).
- (d) Is contrary to the Dargaville Spatial Plan.
- (e) Is contrary to the proposed strategic direction of the exposure draft of the Kaipara District Plan.
- (f) Is ad hoc development in an area unsuited for residential development.
- (g) Will create adverse effects on the environment with regard to reverse sensitivity, transport, infrastructure, and stormwater, that would directly affect members of the APRP.
- (h) Has not adequately considered the costs of the proposal with respect to costs on surrounding land use activities, a lack of capacity of heavy industrial land, or costs to taxpayer and ratepayers for infrastructure upgrades.

3.7 APRP agrees with the s42A report that the private plan change proposal should be rejected, and that the land should retain its rural zoning.

3.8 If the panel is of a mind to recommend that the plan change be approved, APRP requests that provisions are included in the plan that

- Ensure the effective provisions are included that will avoid reverse sensitivity effects on the surrounding farmland as a result of new sensitive activities on the site.
- Include appropriate provisions that require the developer to fund upgrades to transport and other infrastructure prior to the establishment of residential activities.
- Ensure that provisions are included to manage the impacts of stormwater runoff on surrounding properties.

4. THE EFFECTS OF THE PROPOSAL.

Reverse sensitivity effects

- 4.1 APRP is particularly concerned about the loss of agricultural land and the potential for this proposal to increase reverse sensitivity effects by introducing incompatible land uses like residential development into productive rural areas surrounding the site. The LUC maps show that the site partially contains and is surrounded by LUC Class 2 soils that are favoured by Kumara growers.
- 4.2 New residents in the area are likely to be sensitive to noise from livestock and heavy vehicle movements, the spraying of horticultural crops, aircraft noise, bird scaring devices, shooting, and seasonal activities creating dust.
- 4.3 The S42A report assesses the effects of the proposal in relation to reverse sensitivity in sections 256-262 of the report.
- 4.4 The Applicant has proposed, based in part on the landscape assessment, that the same measures to mitigate landscape and character effects will also work to reduce the potential for reverse sensitivity effects. These measures include earth bunds, planted buffer strips and building/structure setbacks.
- 4.5 The AEE appears to focus on the noise component of reverse sensitivity effects and concludes¹
- “As there is no technical evidence to the contrary, I am of the opinion that the proposed measures as set out within the AA will appropriately mitigate potential noise effects and thereby the reverse sensitivity effects associated with noise related activities.”*
- 4.6 However in addition to noise, reverse sensitivity effects may also be caused by a range of normal rural production activities creating nuisance effects on residential activities such as dust associated with harvesting crops, spreading of fertiliser, or spray drift associated with normal horticultural activities.
- 4.7 I do not agree that the proposed provisions that are designed to mitigate visual effects² will effectively address potential reverse sensitivity effects between sensitive activities on the racecourse site and existing and future rural production activities in the surrounding areas.

¹ S42A report para 262

² TDA-LU-S2

- 4.8 In my opinion earth bunds and planted buffer strips may help to reduce the noise and visibility components that lead to reverse sensitivity effects however I do not consider that these go far enough to mitigate other effects that may be perceived as a nuisance. I consider that a more effective method is to provide for setbacks between incompatible uses.
- 4.9 The PPC81 provisions provided for setbacks of 10, and 20m from the Rural Zone boundary in the proposed Large Lot Residential and General Residential Zones respectively. In my opinion, these setbacks are inadequate to avoid reverse sensitivity effects and would lead to a constraining of existing land-based primary production in the surrounding areas.
- 4.10 In comparison the Whangarei District Plan (WDP) Rural Production Zone provisions contain setback requirements between various activities and new sensitive activities. These provisions became operative in 2018.
- 4.11 The WDP provisions require resource consent as a discretionary activity where sensitive activities are proposed within 30m of a gravel road (to avoid dust), 250m from intensive livestock farming (to avoid smells, dust and noise), and 500m from Quarrying Resource Areas or Strategic Rural Industries (to avoid smells, dust, noise and traffic).
- 4.12 To ensure that reverse sensitivity effects are avoided my opinion is that the setbacks in the LLRZ and GRZ should be increased to a minimum of 50m. I have prepared track changes to the rules that I consider should be amended if the panel recommends that PPC81 be approved in Appendix 2.
- 4.13 If the panel is of a mind to recommend that PPC81 be approved I also recommend that the panel consider other measures to mitigate the potential for reverse sensitivity effects. This could include requiring sound insulation and the provision of mechanical ventilation for any new homes on the racecourse site³. I also recommend that the panel consider including provisions that would require no complaints covenants to be registered on the titles of residential lots at the time of subdivision.

³ Equivalent to Whangarei District Plan Noise and Vibration Chapter provisions for sensitive activities within the State Highway Noise Control Boundary (NAV.6.5)

Transport effects, and effects on the safety of the transport network

- 4.14 The Proposed Development is expected to significantly increase traffic and congestion on State Highway 14 between the site and Dargaville. The applicants traffic modelling suggests that the development will create a significant increase in traffic movements at the intersection of SH14 and Awakino Point North Rd. Mitigation measures recommended in the integrated transport assessment include upgrading the intersection, sealing Awakino Point North Rd, and creating a Pedestrian/Cyclist Link into Dargaville.
- 4.15 APRP's submission outlined significant concerns with the assumption that a 4 km walking/cycling track into Dargaville will be utilised by new residents enough to mitigate any adverse effects on the transport network between the site and Dargaville, particularly when a significant proportion of the residents are likely to be elderly and will need to drive to town to access groceries, health and social services.
- 4.16 APRP is also concerned if the plan change is approved, the proposed provisions do not provide any certainty that traffic and transport effects will be mitigated through the physical works recommended in the integrated transport assessment. It is noted that Waka Kotahi have only provided their agreement in principle to provide for the walking/cycling link into town from the site, however to my knowledge no agreements have been reached. Permissions will also be required to cross the Awakino River and in a number of places, access from private land owners will be required. This creates some uncertainty that the construction of the path is feasible.
- 4.17 The applicants evidence appears to rely heavily on the provision of the shared path to justify ad hoc development, with the planning evidence stating that the shared path will result in the TDA being 'part of Dargaville'.⁴
- 4.18 In my view the development is out of step with the forward looking planning documents and will create an isolated satellite suburb that will not be connected through urban growth to the main urban area for many years, if ever. Simply providing a pedestrian and cycle connection is not in my view enough to make the TDA 'part of Dargaville'.

⁴ Applicants Planning Evidence - Section 12.32

- 4.19 The subdivision provisions as drafted require upgrades to intersections and the provision of pedestrian connections into Dargaville where subdivision is of any allotment in the proposed General Residential Area, however it is unclear how the requirement for these mitigation measures would be triggered were the applicant to apply for a land use consent to establish multiple residential units without subdividing, for instance for a retirement village.
- 4.20 In my opinion the proposed TDA provisions that trigger infrastructure upgrades must be clarified to ensure that the costs of infrastructure upgrades are borne by the developer, and not ratepayers, and occur in a sequenced manner before any residential development takes place. I have included track changes to the relevant rules in Appendix 2.

Natural Hazards, Flooding and Stormwater

- 4.21 The Racecourse is partially within a Flood Susceptible Area in the KDC maps. The NRC hazard maps show areas of the site are susceptible to river flooding during all flood events ranging from 10 and 100 year reoccurrence intervals. The area between the development site and the Wairoa River as being with a flood hazard area and stormwater from the development site will need to pass through this area before entering the Wairoa River.
- 4.22 APRP has significant concerns around the increase in impervious surfaces, and the ability to manage increased stormwater flows on site. There are already significant flooding concerns in the areas surrounding the site, particularly at high tide, and these may be exacerbated due to predicted sea level rise in the future. The site and surrounding area is known to have a high water table which may reduce the effectiveness of stormwater attenuation areas.
- 4.23 APRP considers that the proposed stormwater controls are inadequate and that any development on the site should ensure that post-development stormwater flows from the property are managed so that they do not exceed predevelopment flows.
- 4.24 It is also unclear how minimum floor levels will be set in the new development area. The existing residential rules in the KDP set minimum floor levels⁵ 500mm above the 100year ARI flood level. There appears to be no controls on minimum floor levels in the TDA Development Area provisions.

⁵ Kaipara District Plan Rule 13.10.3b

4.25 I note that the applicant has stated that the provisions have been designed to fit with the new national planning standards, however in my opinion more clarity is required to confirm whether the TDA development area rules stand alone as their own zone, or if they apply in addition to the operative KDP rules (i.e. the residential rules). If the rules stand-alone there appears to be significant gaps in the rules in relation to the management of natural hazard risk.

Provision of infrastructure

4.26 APRP understands that a number of extensions to infrastructure will be critical for the proposed development. This includes include an extension of the sewage line for approximately 3km from the development site across public and private land, the provision of the shard path, and potential upgrades to the municipal water treatment plant and wastewater treatment plant to provide extra capacity for the development.

4.27 APRP is concerned that the proposal will not result in the orderly and efficient extension of existing reticulated infrastructure services, and considers that areas adjoining the existing urban area⁶ should be allowed to developed before extending urban growth to a satellite suburb in the rural area.

4.28 APRP is also concerned that the required infrastructure upgrades and extensions may result in extra costs being imposed on existing ratepayers as a result of the new development (including through the negotiation of a developer agreement). APRP considers that if the plan change is to be approved KDC must ensure that the costs of infrastructure upgrades associated with the development are borne by the developer and not KDC ratepayers.

5. RELEVANT POLICY STATEMENTS AND PLANS

5.1 I generally agree with the assessment in the s42A report against the relevant higher order policy statements and plans.

5.2 I do disagree with some aspects of the s42A assessment in relation to the National Policy Statement for Highly Productive Land (NPS-HPL), National Policy Statement for Freshwater Management (NPS-FM) the Northland Regional Policy Statement (RPS), and the Operative

⁶ As identified in the Dargaville Spatial Plan and Exposure Draft KDP

Kaipara District Plan (KDP), and the, and consider that PPC81 as proposed does not give effect to, or in some cases is contrary to provisions in these documents.

5.3 I address each of these documents below.

National Policy Statement on Highly Productive Land (NPS-HPL)

5.4 The NPS-HPL came into effect on 19 September 2022 and seeks to protect New Zealand's most favourable soils for food and fibre production now and for future generations. The NPS-HPL provides guidance to councils on how to map and zone highly productive land, and manage subdivision use and development on highly productive soils.

5.5 The NPS-HPL directs regional and district councils to map highly productive land and include these maps in their regional policy statements and district plans. Section 3.4 of the NPS-HPL sets out how councils should map Highly Productive Land.

5.6 Section 3.4(1) directs every regional council to map highly productive land that:

(a) is in a general rural zone or rural production zone; and

(b) is predominantly LUC 1, 2, or 3 land; and

(c) forms a large and geographically cohesive area.

5.7 In addition Regional councils may map land that is in a general rural zone or a rural production zone, but is not LUC 1, 2, or 3 land, as highly productive land if the land is, or has the potential to be (based on current uses of similar land in the region), highly productive for land-based primary production in that region, having regard to the soil type, physical characteristics of the land and soil, and climate of the area⁷.

5.8 Clause 3.4(5) also provides that

(5) For the purpose of identifying land referred to in subclause (1):

(c) small, discrete areas of land that are not LUC 1, 2, or 3 land, but are within a large and geographically cohesive area of LUC 1, 2, or 3 land, may be included.

⁷ Section 3.4 of the NPS-HPL

5.9 Section 3.5 of the NPS-HPL directs regional councils to notify a plan change to include the highly productive land maps into their regional policy statements. District council must then include the maps in their district plans within 6 months without using a Schedule 1 process.

5.10 Under clause 3.5(7)

Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

5.11 I have also discussed the maps with local farmers who are a part of APRP who advise me that in their opinion the LUC maps are inaccurate. It was their opinion that the highly productive LUC Class 2 soils favoured by local kumara growers also extended into the centre of the racetrack land.

5.12 This view is supported by the fact that the racecourse land has been used regularly in the past for kumara cropping. Appendix 4 contains four aerial views of the racecourse land between 2013 and 2019 showing the racecourse land being utilised for Kumara crops.

5.13 Having considered the provisions of the NPS-HPL and after viewing the LUC maps supplied in the s42A report⁸, and anecdotal evidence from local farmers, it is my opinion that at least part the racecourse land contains highly versatile land and is likely to be classed as highly

⁸ Figures 13 and 14 of the s42A report

productive land when the Regional Council undertakes the mapping exercise required under the NPS-HPL.

- 5.14 I have formed this opinion based on the LUC maps showing class 2 and 3 soils on the site, the fact that the site is in the Rural Zone under the District Plan, previous land use activities on the property and given that the land is part of a large cohesive area used for cropping and rural production activities west of the Wairoa River (See map in Appendix 3).
- 5.15 I understand that the applicant is undertaking a more detailed site assessment which may confirm that the racecourse site contains highly productive land.
- 5.16 Section 3.6(4) outlines situations where territorial authorities that are not Tier 1 or 2 may allow urban rezoning of highly productive land. In my opinion these situations do not apply given that there are multiple other reasonably feasible and practicable options for providing urban development capacity in and around Dargaville, as outlined in the Dargaville spatial plan (Appendix 7).
- 5.17 In summary, while the Northland Regional Council is yet to map highly productive land in Northland, it is my opinion that the racecourse site contains highly productive land in a Rural Zone and is located within a large cohesive area of highly productive land. It is therefore appropriate that the proposal is assessed against the policies of the NPS-HPL.
- 5.18 In my opinion that the following NPS-HPL Objective and Policies are relevant to PPC81.

Objective: Highly productive land is protected for use in land-based primary production, both now and for future generations.

Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.

Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 8: Highly productive land is protected from inappropriate use and development.

Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

5.19 The NPS-HPL provides strong direction that highly productive land should be protected for current and future generations, and that the rezoning of these types of areas for urban or rural residential development should be avoided.

5.20 In my view the proposed zoning in PPC81 as proposed by the applicant would not avoid highly productive land being rezoned for urban development, would facilitate inappropriate use and development in this location, and would have the potential to constrain land based primary production activities in the surrounding area.

5.21 Overall I consider that PPC81 is contrary to the direction and provisions of the NPS-HPL.

National Policy Statement on Freshwater Management (NPSFM)

5.22 I have reviewed the proposal against the NPSFM and generally agree with the assessment in the s42A report. There appears to be spring fed wetlands on the site and if confirmed by an ecologist the NPSFM is clear under Policy 6 that these should be protected and restored.

Northland Regional Policy Statement (RPS)

5.23 I generally agree with the assessment of the PPC81 proposal against the relevant provisions of the RPS in the s42A report.

5.24 However, in relation to a number of objectives and policies I disagree with the s42A assessment and/or the applicant's planning assessment. This is in relation to provisions that seek to manage reverse sensitivity effects, new and existing infrastructure, and natural hazard risks. I have outlined areas in the table in Appendix 5 below where I have reached different conclusions in relation to the proposals consistency with the RPS provisions⁹.

5.25 Having considered the proposal I have concluded that PPC81 as proposed is clearly inconsistent with a number of the RPS objectives and policies and therefore, in my opinion PPC81 does not give effect to the RPS.

⁹ Objectives 3.5, 3.6, 3.8, 3.13 and Policies 5.1.1, 5.1.3, 5.2.1, 7.1.2

Operative Kaipara District Plan

5.26 I have assessed the proposal against the objectives and policies of the following chapters in the KDP which relate to the adverse effects of the proposal outlined in APRP's submission:

- Chapter 2 - District wide Resource Management Issues
- Chapter 3 - Land Use and Development Strategy
- Chapter 7 - Natural Hazards
- Chapter 12 - Rural

5.27 The S42A report assess the relevant objectives and policies of the KDP and has identified that there are a number of outstanding matters that need to be addressed. These matters relate to the use of productive land, effects on ecosystems, and the feasibility of servicing the development with water, wastewater and a pedestrian link to Dargaville.

5.28 I have assessed PPC81 against the KDP plan provisions. I generally agree with the s42A assessment and have provided a table in Appendix 6 outlining provisions which I consider the proposal does not give effect to, or in some cases is contrary to. I have also provided comments where I disagree with the planning evidence put before the panel in the s42A report and the applicants pre-circulated evidence.

5.29 I disagree with the comments in relation to the applicability of the Operative Kaipara District Plan in the applicants planning evidence¹⁰, which appear to disregard the plan provisions that do not align with the PPC81 vision. The planning evidence does not identify which of the land use outcomes are outdated and have limited usefulness.

5.30 In my opinion the Operative District Plan is the primary planning document currently and until it is replaced any zoning changes proposed should not be in conflict with its higher order objectives and policies.

5.31 I address the provisions of each of these chapters briefly below.

Chapter 2 District wide Resource Management Issues

¹⁰ Section 8.1 of the Statement of evidence of Venessa Anich on behalf of the Applicant

5.32 Chapter 2 of the KDP sets out district wide resource management issues, objectives and policies. It seeks to maintain and enhance opportunities for sustainable resource use and economic development and growth. This will be achieved by signalling areas suitable for future growth (through zoning), and identifying areas containing important resources where growth should be restricted or managed.

5.33 In my opinion issue 2.3.6 is relevant to the consideration of PPC81.

2.3.6 There is a need to provide for a range of land use and subdivision activities and establish a framework for long term growth.

The rural economy is derived from the natural and physical resources of the District. The on-going provision for this should enable these resources to be used responsively without unduly undermining the ability of these resources to meet the needs of future generations.

By directing residential growth to locations where the cumulative environmental effects of more intensive development can be managed the potential for reverse sensitivity effects can be avoided, a substantial part of the District remains available for rural production.

5.34 In my opinion the proposals under PPC81 do not address issue 2.3.6 and its description and justification as outlined above.

5.35 Having considered the objectives and policies of Chapter 2 it is my opinion that PPC81 is inconsistent with these provisions.

Chapter 3 Land Use and Development Strategy

5.36 The provisions in Chapter 3 seek to provide for development throughout the district and in particular around existing settlements identified as growth areas. The chapter also seeks to avoid ad hoc expansion of settlements and to avoid intensive development in areas which may be more appropriate for lower density or rural uses in the future.

5.37 Of particular relevance to the consideration of PPC81 the chapter seeks to avoid the following outcomes:

- Increased fragmentation and development of residential and business activities on versatile and productive soils (a finite resource) or on sensitive environments (harbour and coast); ·
- Stifled growth and development opportunities; ·

- Ineffective and inefficient provision of infrastructure servicing for economic development;
- The amenity, heritage, landscape, ecological and natural values of the District can be reduced.
- Residential and business land use may be adversely affected by effects of climate change if inappropriately located (e.g. within areas prone to rising sea levels and/or erosion).

5.38 Chapter 3 also provides the opportunity for individuals to initiate private plan changes or Integrated Development subdivision applications if land owners wish to see growth commence in identified areas before council has progressed the Structure Plans.

5.39 For developments that seek to occur before a structure planning process has taken place, assessment criteria requires consideration to be given to the Growth Area Outcomes and to demonstrate that:

- The funding or construction of infrastructure including connections to meet the ultimate design capacity of the subdivision / development, back to the existing urban edge; and
- For out of sequence developments, whether they are able to provide an internal buffer from surrounding rural activities to avoid, remedy or mitigate reverse sensitivity.

5.40 The site for PPC81 is outside the area contemplated for future residential and business growth in the Dargaville Growth Area¹¹.

5.41 The Dargaville Spatial Plan contemplates industrial development around the racecourse site, but does not anticipate the provision of residential land (Appendix 7). Industrial development is not sensitive to the effects of rural production activities when compared to residential development and is in my opinion a more appropriate land use in this area..

5.42 I have provided specific comments in relation to the objectives and policies in Appendix 6.

¹¹ Kaipara District Plan - Appendix A – Indicative Growth Area Dargaville

5.43 In summary I consider the PPC81 proposal:

- Is ad hoc development within in a contiguous rural area containing highly versatile soils.
- Is out of sequence, based on existing structure and spatial plans.
- Is likely to create reverse sensitivity issues that will restrict the maintenance and expansion of existing rural production activities, and reduce the opportunities and flexibility for changes in land use in the future.
- Contains inadequate provisions to manage potential reverse sensitivity effects.
- Will create a need for unplanned extensions of services and upgrades to water and wastewater treatment plants.
- Does not maximise the use of existing infrastructure.

5.44 In relation to these aspects, it is my opinion that proposal is contrary to the objectives and policies of Chapter 3.

Chapter 7 Natural Hazards

5.45 Chapter 7 seeks to recognise and manage the potential effects of hazards on development.

5.46 In my opinion the zoning pattern and provisions proposed do not give effect to the objectives and policies of 3, in particular with regard to enabling development in hazard prone areas, and creating the potential for exacerbated flooding hazards on properties in the surrounding area.

Chapter 12 Rural

5.47 I have considered the provisions of the Rural Chapter given the existing zoning of the site, and that if approved the development site will be surrounded by properties in the Rural Zone.

5.48 The Rural Chapter seeks to provide for a range of uses in addition to standard rural production activities of farming, horticulture and forestry. It also provides for business and residential growth in the rural zone surrounding Growth Areas where this is supported by Structure Plans, or via a private plan change where a structure plan is yet to be developed.

5.49 The Chapter 12 provisions seek to:

- Control subdivision that has the potential to adversely affect the rural character and amenity of the District.
- Support primary production activities in the rural zone and protect them from reverse sensitivity.
- Protect and maintain economic opportunities using rural land from incompatible land uses such as residential activities.

5.50 I have responded to specific provisions of Chapter 12 in the Table in Appendix 6. In summary I consider that PPC81 is contrary to a number of the chapter 12 provisions, particularly in regard to potential reverse sensitivity issues that would be created from introducing residential activity into a rural environment.

Conclusion

5.51 Having considered PPC81 against the relevant provisions of the operative KDP it is my opinion that the proposal is contrary to a number of the objectives and policies of the Plan.

5.52 I do not consider that granting the application is the most appropriate way to achieve the plan objectives.

6. OTHER MATTERS

Kaipara Spatial Plan

6.1 KDC have recently invested significant resources into consulting on and preparing the Dargaville Spatial Plan. This document underpins the preparation of the upcoming review of the District Plan.

6.2 The Spatial Plan identifies areas for managed residential growth adjoining the existing urban area northwest and southern areas of Dargaville (Appendix 7).

6.3 In my opinion these areas are a logical extension to the urban area to provide for the sustainable and orderly development of Dargaville's urban area.

- 6.4 The Spatial Plan contemplates industrial development at the Racecourse and surrounding area. In my opinion this is a more compatible land use with the surrounding rural land than what is proposed in PPC81.
- 6.5 In my opinion providing for residential development as proposed by PPC81 is out of step with the community's desired pattern of development as outlined in the spatial plan. I do not consider that PPC81 gives effect to the Spatial Plan, and would in fact undermine and reduce the prospects of the successful implementation of the Spatial Plan.

District Plan Review

- 6.6 The planning evidence provided by the applicant refers to the District Plan review currently underway . I note that I have also prepared and lodged a submission on behalf of the APRP to the Exposure Draft District Plan.
- 6.7 APRPs submission supported the Exposure Draft Plan provisions that promote consolidated and managed growth of Dargaville, the efficient use of infrastructure, and the protection and of productive rural land from fragmentation and urban sprawl.
- 6.8 While this document has not been through a Schedule 1 process and therefore has no legal status, I consider the draft plan as notified would give effect to the growth areas identified in the Kaipara Spatial Plan and contains a number of provisions that are contrary to the PPC81 proposals, particularly with reference to the draft Strategic Direction Chapter, and Urban Form and Development Chapters.

7. PART 2 MATTERS

- 7.1 Part 2 of the Resource Management Act 1991 (RMA) sets out the purpose of the Act which is the sustainable management of natural and physical resources. Under section 5 of the Act, sustainable management has the following meaning:

In this Act, sustainable management means managing 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 while—

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
and
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems;*
and
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

7.2 Whether the purpose of the RMA is being achieved involves an “overall broad judgement”. This assessment is informed by reference to the matters set out in sections 6, 7, and 8 of the Act.

Section 6

7.3 Under section 6 Council shall recognise and provide for matters of national importance, which includes:

- (h) *the management of significant risks from natural hazards*

7.4 Generally when managing natural hazard risk the most effective management technique is to avoid developing within areas known to be at risk of hazards. The significant risk of natural hazards has not been avoided by proposing residential development within areas identified as being subject to flood.

7.5 Mitigation measures to avoid natural hazard risks are inadequate as no provision appears to have been made to ensure that future floor levels are above predicted flood levels.

Section 7

7.6 Under section 7 Council shall have particular regard to other matters, which include:

- b) *the efficient use and development of natural and physical resources.*
- c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment.*
- (g) *any finite characteristics of natural and physical resources.*

7.7 The proposal contains mitigation measures to ensure that the subdivision and development of the site will maintain and enhance amenity values, however the location of the development site within a productive rural area with versatile soils (a finite natural resource)

has the potential to create adverse effects on the efficient use and development of rural land. As drafted the current provisions are in my opinion inadequate to address these issues.

Section 8

- 7.8 Under section 8 Council shall take into account the principles of the Treaty of Waitangi. I have no information in relation as to whether the principles of the Treaty have been compromised by this application, although I note that the applicant has consulted with tangata whenua on the proposal.

Conclusions

- 7.9 In my opinion the proposal represents development that is before its time when considering the rate of development of land and provision of infrastructure in Dargaville. The proposal will not sustain the potential of the versatile soil resource surrounding the site and is likely to result in adverse effects that have not been avoided or remedied with respect to natural hazards and reverse sensitivity effects.
- 7.10 Having considered sections 5-8 of the Act It is my opinion, that the proposal is not the most appropriate way of achieving the purpose of the Act.

8. CONCLUSION

- 8.1 The proposed plan change will rezone an area of land zoned as Rural Zone to provide for residential and business development in the Rural Zone.
- 8.2 The land is part of a larger area of highly productive land used primarily for growing kumara.
- 8.3 In my opinion the PPC81 proposal:
- (i) Is ad hoc development in an area unsuited for residential development.
 - (j) Does not give effect to the National Policy Statement for Highly Productive Land
 - (k) Does not give effect to the Northland Regional Policy Statement.
 - (l) Is contrary to the objectives and policies of the Operative Kaipara District Plan.
 - (m) Is contrary to the Dargaville Spatial Plan.
 - (n) Is contrary to the proposed strategic direction and zoning proposals in the exposure draft of the Kaipara District Plan.
 - (o) Will create adverse effects on the environment with regard to reverse sensitivity, transport, infrastructure, and stormwater, that would directly affect members of the APRP and the wider community.
 - (p) Has not adequately considered the costs of the proposal with respect to costs on surrounding land use activities, a lack of capacity of heavy industrial land, or costs to taxpayer and ratepayers for infrastructure upgrades.
- 8.4 Having considered these factors, and taking into account any benefits provided by the development I have concluded that the proposal is not the most appropriate way of achieving the purpose of the Act
- 8.5 I therefore recommend that the application should be declined.

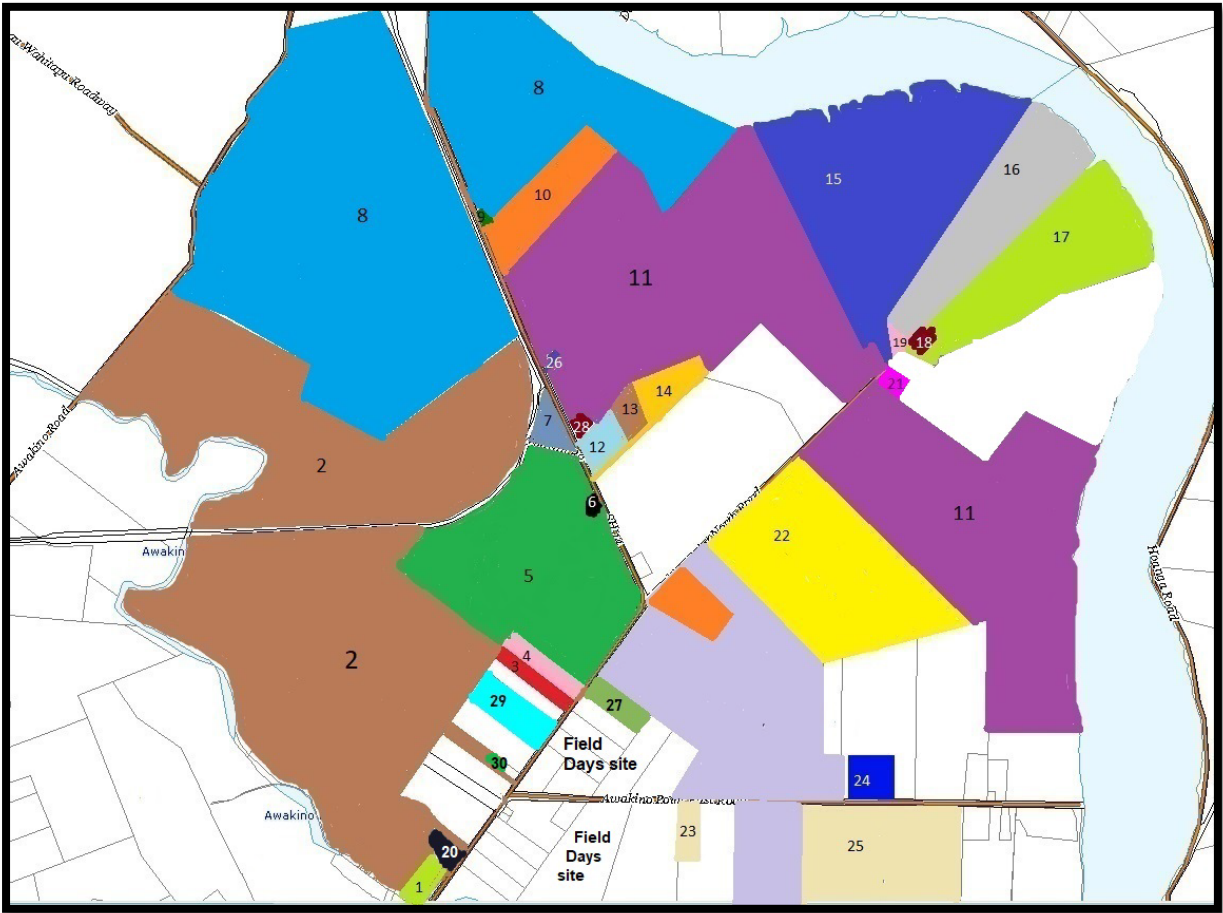


Evan James Cook

17th March 2023

Appendix 1

Locations of APRP members properties



Appendix 2

Proposed amendments to PPC81 Provisions

TDA-LU-S2

1. Prior to establishment of any activity other than Farming on the site, a Landscape and Fencing Plan is prepared by a suitably qualified and experienced landscape architect detailing landscaping and fencing of:

- a. The perimeter of the Trifecta Development Area.
- b. The interface between the Light Industrial Area and the General Residential Area.
- c. The interface between any Residential Zone and the Rural Production Zone

TDA-LU-S4 Transport

1. Prior to establishment of any activity other than Farming in the Light Industrial Area:

- a. Upgrade of the intersection of State Highway 14 and Awakino Point North Road to a T intersection must be complete.
- b. An Access Plan for the Light Industrial Area must be prepared by a suitably qualified and experienced transportation engineer, unless an Access Plan for the Light Industrial Area has already been approved under TDA-SUB-S10.
- c. The Access Plan provides for a slow street or pedestrian connection between the Light Industrial Area and the General Residential Area. d. Awakino Point North Road must be sealed from State Highway 14 to the entrance to the Light Industrial Area.
- d. A pedestrian and cycle link from the intersection of State Highway 14 and Awakino Point North Road to Tuna Street must be complete.

TDA-LLRA-S2 Buildings and Major Structures Setbacks

1. All buildings and major structures are set back at least:

- a. 10m from road boundaries.
- b. 6m from side and rear boundaries.
- c: ~~40m~~50m from the Rural Zone boundary.
- c. 3m from any vested reserve or Open Space Area.

~~Compliance standard:~~

- ~~1. Any Noise Sensitive Activity is exempt from the 300m separation distance in rule 12.10.9(1).~~

TDA-GRA-S2 Building and Major Structure Setbacks

Buildings and major structures are set back at least:

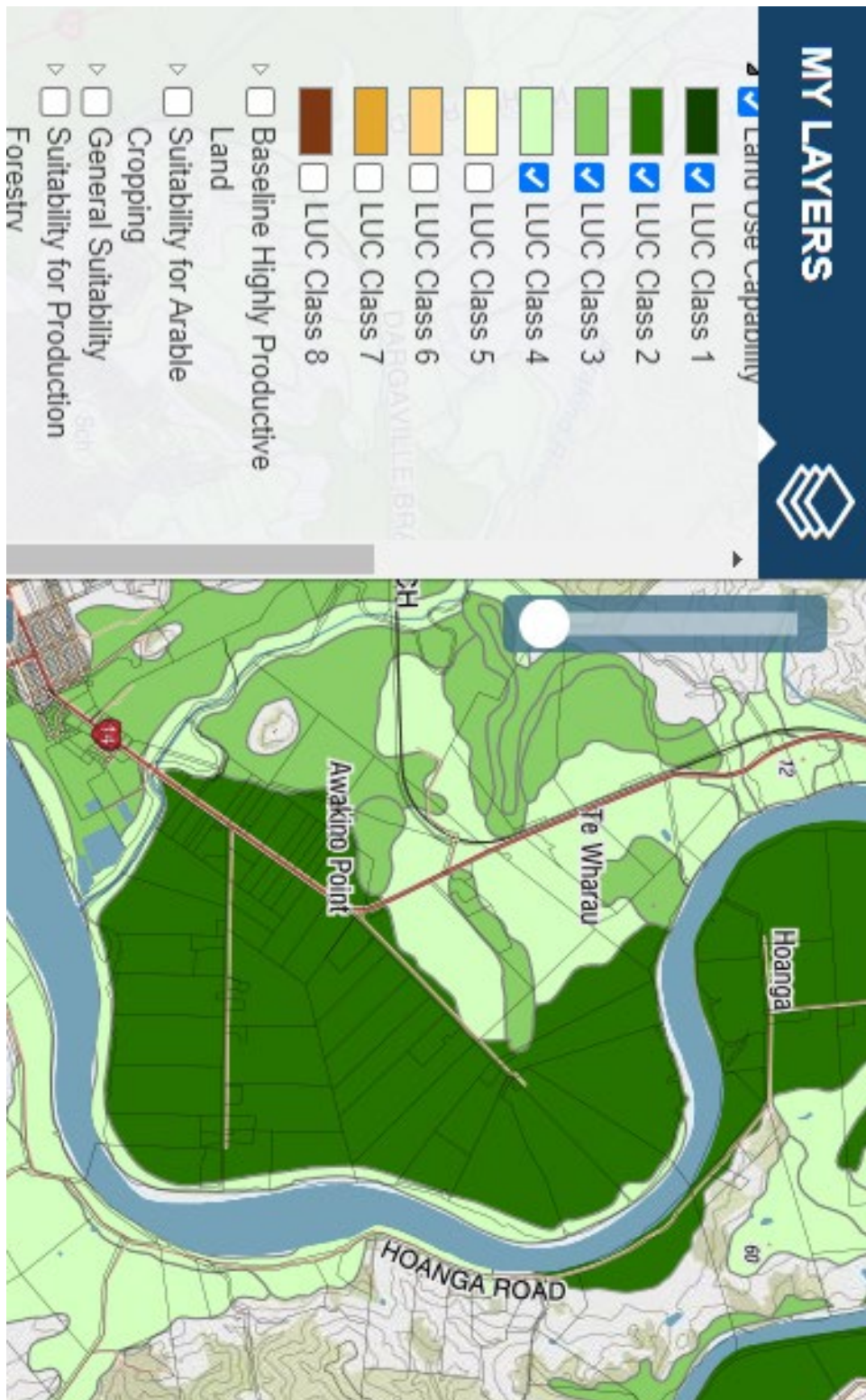
...

g. ~~20m~~50m from the Rural Zone boundary.

~~2. Any Noise Sensitive Activity is exempt from the 300m separation distance in rule 12.10.9(1).~~

Appendix 3

LUC Maps – Awakino Point and Te Wharau



Appendix 4

Aerial Images of Kumara Crops being grown on Racecourse Land

(Source Google Earth)



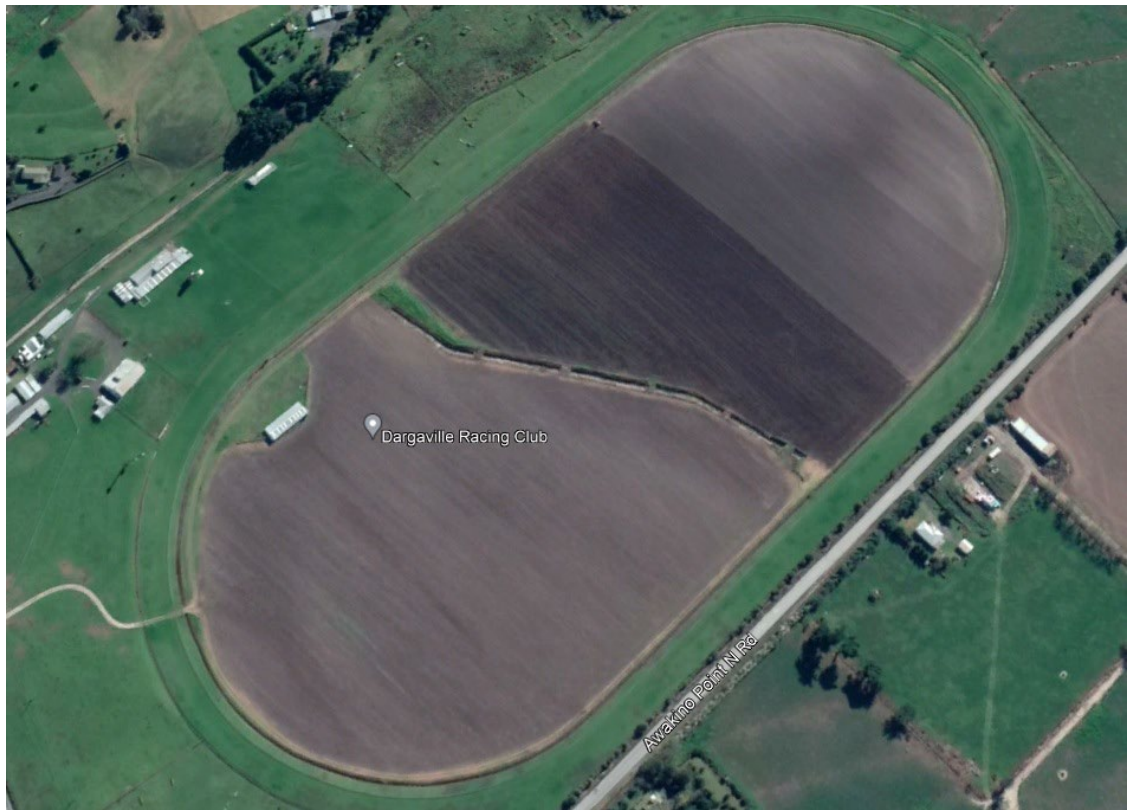
October 2013



January 2016



January 2017



2019

Appendix 5

Assessment against the Northland Regional Policy Statement

Provision	Comment
Objectives	
<p>Objective 3.5 – enabling economic wellbeing</p> <p>Northland’s natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.</p>	<p>The s42A report confirms that the proposal will have positive effects in relation to the economic wellbeing of Dargaville, however the economic assessment only considers the benefits of development vs the lost income from grazing the site, and does not take into account any loss of productivity of primary production activities in the surrounding areas.</p> <p>The surrounding area contains versatile soils which are a natural resource and an important contributor to the local economy. In my opinion the plan change as proposed will potentially create adverse reverse sensitivity effects on the farming operations of the surrounding area, and therefore the proposal does not give effect to this objective.</p>
<p>3.6 Economic activities – reverse sensitivity and sterilisation</p> <p>The viability of land and activities important for Northland’s economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:</p> <p>(a) Reverse sensitivity for existing:</p> <p>(i) Primary production activities;</p> <p>(ii) Industrial and commercial activities;</p> <p>(iii) Mining*; or</p> <p>(iv) Existing and planned regionally significant infrastructure; or</p> <p>(b) Sterilisation of:</p> <p>(i) Land with regionally significant mineral resources; or</p> <p>(ii) Land which is likely to be used for regionally significant infrastructure. *Includes aggregates and other minerals.</p>	<p>The S42A report considers that the applicant has addressed the potential for reverse sensitivity through proposed PPC81 provisions including screening, landscaping, setbacks and noise requirements.</p> <p>In my opinion while the applicant has addressed noise and visual effects, these appear to relate mainly to the internal interfaces between the new industrial and residential zones, rather than the interface with rural zones surrounding the proposal.</p> <p>The application proposes mitigation measures however these may not be effective to mitigate against all sources of complaints like dust and smells.</p> <p>As proposed the plan change may adversely affect the viability of farming activities in the surrounding area and in my opinion is contrary to this objective.</p>
<p>3.8 Efficient and effective infrastructure</p> <p>Manage resource use to:</p> <p>(a) Optimise the use of existing infrastructure;</p> <p>(b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and</p> <p>(c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.</p>	<p>The Plan change proposal will require new extensions of infrastructure and lacks detail around the future provision of wastewater infrastructure to enable an accurate assessment against this provision.</p>

<p>3.13 Natural hazard risk</p> <p>The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by:</p> <p>(a) Increasing our understanding of natural hazards, including the potential influence of climate change on natural hazard events;</p> <p>(b) Becoming better prepared for the consequences of natural hazard events;</p> <p>(c) Avoiding inappropriate new development in 10 and 100 year flood hazard areas and coastal hazard areas;</p> <p>(d) Not compromising the effectiveness of existing defences (natural and man-made);</p> <p>(e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and</p> <p>(f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities.</p> <p>(g) Recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas.</p>	<p>The NRC hazard maps appear to show a portion of the site that is proposed for General Residential development as being within a 10 and 100year flood hazard area.</p> <p>The s42A report considers that the proposed site is the least floodable of other similar sites within the vicinity.</p> <p>The Objective clearly seeks to minimise the risk of natural hazards by avoiding inappropriate new development in 10 and 100flood hazard areas. In my opinion the plan change proposal is contrary to this objective.</p>
<p>5.1.1 Policy – Planned and coordinated development</p> <p>Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:</p> <p>(a) Is guided by the ‘Regional Form and Development Guidelines’ in Appendix 2;</p> <p>(b) Is guided by the ‘Regional Urban Design Guidelines’ in Appendix 2 when it is urban in nature;</p> <p>(c) Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects;</p> <p>(d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure; (e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;</p> <p>(f) Ensures that plan changes and subdivision to in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and</p>	<p>I disagree with the statement in the s42 a report that that Sufficient information has been provided to address matters in relation to reverse sensitivity.</p> <p>In my view the proposal will result in incompatible land uses with the surrounding environment and will create the potential for reverse sensitivity effects, contrary to the policy direction.</p> <p>I agree with the s42A report that further consideration needs to be given as to whether the net public benefit of PPC81 exceeds the reduced potential for soil based primary production activities, within the site and in the surrounding area.</p>

<p>(g) Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and / or district or regional plan provisions.</p> <p>(h) Is or will be serviced by necessary infrastructure.</p>	
<p>5.1.3 Policy – Avoiding the adverse effects of new use(s) and development</p> <p>Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:</p> <p>(a) Primary production activities in primary production zones (including within the coastal marine area);</p> <p>(b) Commercial and industrial activities in commercial and industrial zones;</p> <p>(c) The operation, maintenance or upgrading of existing or planned regionally significant infrastructure; and</p> <p>(d) The use and development of regionally significant mineral resources</p>	<p>The s42A report does not appear to have assessed the proposal against this provision.</p> <p>While some mitigation measures are proposed to address reverse sensitivity effects, the policy directs that adverse effects should in the first instance be avoided.</p> <p>It is my opinion that PPC81 does not contain sufficient provisions to avoid potential adverse effects on primary production activities currently occurring on the surrounding properties.</p> <p>I consider that the proposal is contrary to this policy.</p>
<p>5.2.1 Policy – Managing the use of resources</p> <p>Encourage development and activities to efficiently use resources, particularly network resources, water and energy, and promote the reduction and reuse of waste.</p>	<p>The Plan change will require significant extensions of network resources to an area outside of the Dargaville township, and potential shift food production activities further from town increasing transport costs and reducing efficiency.</p> <p>In my opinion the proposal is contrary to this policy.</p>
<p>7.1.2 Policy – New subdivision and land use within 10-year and 100- year flood hazard areas</p> <p>New subdivision, built development (including wastewater treatment and disposal systems), and land use change may be appropriate within 10-year and 100-year flood hazard areas provided all of the following are met:</p> <p>(a) Hazardous substances will not be inundated during a 100-year flood event.</p> <p>(b) Earthworks (other than earthworks associated with flood control works) do not divert flood flow onto neighbouring properties, and within 10-year flood hazard areas do not deplete flood plain storage capacity;</p> <p>(c) A minimum freeboard above a 100-year flood event of at least 500mm is provided for residential buildings.</p> <p>(d) Commercial and industrial buildings are constructed so as to not be subject to material damage in a 100 year flood event.</p>	<p>Policy 7.1.2 gives effect to Objective 3.13 as discussed above. A portion of the site that is proposed for General Residential development is identified within a 10 and 100year flood hazard area.</p> <p>I have not been able to identify any provisions in the proposed TDA provisions that would ensure that future development would give effect to the minimum floor levels specified in Policy 7.1.2 (c) or Method 7.1.7.</p> <p>In my opinion the proposal is inconsistent with this policy.</p>

(e) New subdivision plans are able to identify that building platforms will not be subject to inundation and / or material damage (including erosion) in a 100-year flood event;

(f) Within 10-year flood hazard areas, land use or built development is of a type that will not be subject to material damage in a 100-year flood event; and (g) Flood hazard risk to vehicular access routes for proposed new lots is assessed.

Appendix 6

Assessment against the Operative Kaipara District Plan

Provision	Comment
Chapter 2 - District Wide Resource Management Issues	
Objectives	
<p>2.4.1</p> <p>To maintain and enhance opportunities for sustainable resource use, to enable economic development and growth.</p>	<p>The proposal does not maintain or enhance opportunities for sustainable resource use, economic development, and growth with respect to local primary production activities on versatile land.</p>
<p>2.4.4</p> <p>To recognise and protect from inappropriate use and development those environments of the District which are the most sensitive to land use and development and which significantly contribute to the District's, Region's and/or Nation's identity.</p>	<p>Kumara growing is central to the districts identify and is a significant contributor to the local economy.</p> <p>Highly productive soils are sensitive to land development that increases the potential for reverse sensitivity effects.</p> <p>PPC81 will potential restrict kumara growing operations in the vicinity of the site.</p>
<p>2.4.8</p> <p>To provide guidance on areas for long term growth and land use change while recognising the limited resources of Council.</p>	<p>The District Plan and Dargaville Spatial Plan provides appropriate guidance for future land use changes.</p> <p>PPC81 is inconsistent with the outcomes sought in these documents.</p>
<p>2.4.10</p> <p>To take a precautionary approach to managing hazards and their potential effects on communities and the natural environment.</p>	<p>PPC81 proposes rezoning an area of 10 and 100 year flood hazard to provide for general residential development. This is inconsistent with a precautionary approach to managing hazard risk.</p>
Policies	
<p>2.5.8</p> <p>By providing direction and opportunities for changes to land use to enable residential and business growth in appropriate locations.</p>	<p>The documents that provide direction and opportunities for residential growth signal urban expansion consolidated with the existing urban area of Dargaville. The racecourse site is not considered an appropriate location in these documents</p>
<p>2.5.11</p> <p>By requiring land use, development and subdivision to provide adequate reserves, utilities and transport connections, at the outset of development.</p>	<p>For consistency with this Policy PPC81 provisions should ensure that infrastructure is provided at the outset of the development.</p>
Chapter 3 Land Use and Development Strategy	
Objectives	
<p>3.4.2</p> <p>To minimise the ad hoc expansion of residential and business activities in the rural heartland, where such activities have the potential to give rise to adverse environmental effects and issues of reverse sensitivity.</p>	<p>PPC81 will introduce residential and business activities into the rural zone. This proposal will increase the potential for reverse sensitivity issues.</p> <p>The applicant considers that the PPC81 development is not ad hoc because Dargaville is growing to the east and that this will be the new urban edge of town.</p>

	<p>This location may be appropriate for new industrial activities however the new residential area will be over 2km outside the planned residential areas identified in the exposure draft of the District Plan.</p> <p>Given the highly productive soils east of the Awakino River, and the other areas identified for growth around Dargaville in the spatial and draft district plans I consider that urban expansion to the racecourse area is highly unlikely. In my opinion the Awakino River would be a more appropriate urban limit..</p> <p>In my opinion PC881 is ad hoc residential development in a rural area and is contrary to this policy.</p>
<p>3.4.3</p> <p>To restrict growth of residential and business activities in inappropriate locations where such activities have the potential to give rise to adverse effects on sensitive receiving environments.</p>	<p>The applicant considers that the sensitive receiving environment is the Northern Wairoa River, however in my opinion the surrounding highly productive rural area is also a sensitive receiving environment.</p> <p>In my opinion the racecourse site is an inappropriate location for residential development in a rural area and has the potential to give rise to adverse effects on the receiving environment, and may be subject to flooding hazards.</p> <p>More appropriate residential areas have been identified adjacent to existing residential areas to the north east and west of Dargaville in accordance with the Dargaville Spatial Plan.</p> <p>In my opinion PPC81 is contrary to this policy and constitutes the type of residential activity that should be restricted.</p>
<p>3.4.5</p> <p>To provide appropriate infrastructure and servicing in advance of or alongside future residential and business development.</p>	<p>It is not clear that infrastructure is able to be funded and provided at the proposed location without significant upgrades to council services.</p> <p>It would be more efficient and effective to extend infrastructure adjacent to existing development.</p>
<p>3.4.8</p> <p>To provide adequate areas to accommodate future residential development which maximise the use of existing infrastructure.</p>	<p>In my opinion adequate areas have been identified in the Spatial and Draft District Plans that would accommodate future growth while maximising the use of existing infrastructure.</p> <p>PPC81 would require significant extensions of infrastructure, in particular for wastewater outside planned and existing urban areas, and therefore does not give effect to this policy.</p>
<p>Policies</p>	
<p>3.5.5</p> <p>By ensuring infrastructure and servicing (e.g. transport, stormwater and sewerage reticulation and treatment systems and networks) for new development areas are designed and provided for at the outset of development, so that any adverse effects on the environment or existing systems are adequately avoided, remedied or mitigated.</p>	<p>This policy gives effect to Objective 3.4.5 and directs that infrastructure and services are provided for at the outset of the development.</p> <p>PPC81 as drafted is contrary to this policy particularly with respect to the provision of the shared path which is considered a fundamental feature of the proposed development</p>

<p>3.5.6</p> <p>By requiring new residential and business development to comprehensively consider (on a catchment wide basis) potential:</p> <p>...</p> <p>Conflicts with finite resources which can reasonably be expected to be valuable for future generations (including highly productive and versatile soils and aggregate resources). (For example, where residential and business development could adversely affect the availability of finite resources); and</p> <p>to identify mechanisms to avoid, remedy or mitigate such impacts.</p>	<p>The proposed development of the site is incompatible with productive rural land uses on versatile soils adjacent to the site.</p> <p>In my opinion the mechanisms proposed to mitigate reverse sensitivity effects are inadequate and will lead to restrictions in the expansion of existing rural production activities.</p>
<p>Chapter 7 – Natural Hazards</p>	
<p>Objectives</p>	
<p>7.5.1</p> <p>To control subdivision and development so that it does not induce natural hazards or exacerbate the effects of natural hazards.</p>	<p>APRP is concerned about the level of development in this area and in particular its potential to exacerbate flooding hazards on surrounding land.</p>
<p>7.5.4</p> <p>To consider natural hazards at the time of any subdivision, land use or development or when there is a significant change in land use proposed (for example a new Growth Area).</p>	<p>In my opinion PPC81 is a significant change in land use and therefore natural hazards should be considered both for future development of the site itself, and potential impacts on surrounding properties.</p>
<p>Policies</p>	
<p>7.6.1</p> <p>By considering the potential for development, subdivision and land use activities including:</p> <ul style="list-style-type: none"> • Vegetation clearance; • Draining of wetlands; • Changes in overland flow paths and storm water; • Changes to riparian margins; • Earth works; • Buildings and building setbacks; and • Land reclamation; 	<p>The PPC81 proposal does not appear to contain details of any methods of mitigation that will be suitable to mitigate against natural hazards either on the site, or on the surrounding area.</p> <p>No controls are provided in the proposed TDA provisions to manage natural hazard risk</p>

<p>to exacerbate any natural hazard on-site or off-site, and avoiding such activities, unless it can be demonstrated that the adverse effects can be mitigated, remedied or avoided.</p>	
<p>7.6.3</p> <p>By considering the potential adverse impacts of development on flood flow paths of rivers and the efficient functioning of natural drainage systems in subdivision, land use and development.</p>	<p>The applicant has proposed attenuation to control stormwater flows however due to high water tables and tidal influence these may not be effective. APRP is concerned that this will lead to increased flooding on surrounding properties.</p>
<p>7.6.4</p> <p>By taking into account climate change and sea level rise, as predicted by the Intergovernmental Panel of Climate Change or Royal Society of NZ, when assessing development in areas potentially affected.</p>	<p>NRC hazard mapping has taken in to account climate change predications and has mapped areas of 10 and 100 year flooding on the site. This should be taken into account when setting zone boundaries to avoid upzoning areas at risk of flooding hazards.</p>
<p>Chapter 12 - Rural</p>	
<p>Objectives</p>	
<p>12.4.6</p> <p>Farming, forestry, mineral extraction and processing, and renewable energy generation support the social and economic wellbeing of the District and have the potential to be adversely affected by incompatible neighbouring activities (e.g. residential). It is recognised that these activities are constrained by locational, operational and technical factors.</p>	<p>The PPC81 proposal is incompatible with surrounding productive rural land uses in terms of the residential component of the development.</p>
<p>Policies</p>	
<p>12.5.4</p> <p>To ensure that the servicing of new subdivision and development does not adversely affect the environment, in particular sensitive receiving environments.</p>	<p>New services have the potential to create adverse effects on the receiving environment. There is not enough detail in the proposed provisions ensure that these effects will be managed.</p>
<p>12.5.5</p> <p>To avoid, remedy or mitigate adverse effects on the quality of the rural environment without unduly restricting productive rural activities e.g. farming and forestry.</p>	<p>The proposal represents inappropriate land use in the rural environment and will create adverse reverse sensitivity issues that will lead to restrictions on productive rural industries. The proposal is contrary to this policy.</p>
<p>12.5.6</p> <p>To provide for a range of activities in the Rural Zone which are located, designed and operated in such a way as to avoid, remedy or mitigate reverse sensitivity effects on existing land uses in the vicinity.</p>	<p>The design controls in PPC81 are in my opinion insufficient to manage reverse sensitivity issues in this location.</p>

<p>12.5.7</p> <p>To recognise farming, forestry, mineral extraction and processing, renewable energy generation, industrial and commercial activities and network utilities that enable people and communities to provide for their social, economic and cultural wellbeing.</p>	<p>Farming and horticultural activities on the surrounding land have not been recognised in the applicants social and economic impact assessments. The PPC81 proposal is contrary to this policy.</p>
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Appendix 7

Dargaville Spatial Plan

THE SPATIAL PLAN, Dargaville
Part 2 | Dargaville_Key Moves



David Sturtis | AEC + Associates Limited | May 2020