

UNDER

the Resource Management Act 1991

IN THE MATTER

of a request to Kaipara District Council for Private Plan Change 81: Dargaville Racecourse by the Dargaville Racing Club Inc

**ADDENDUM STATEMENT OF EVIDENCE OF VENESSA ANICH ON
BEHALF OF THE APPLICANT**

PLANNING

22 MARCH 2023

1. INTRODUCTION

1.1 This is an Addendum to my evidence dated 10 March 2023 for Private Plan Change 81 ('PC81'). This addendum provides a planning response to:

(a) National Policy Statement for Freshwater Management 2020 ('NPS FM');

(b) National Policy Statement for Highly Productive Land 2022 ('NPS HPL').

1.2 Attached to my Addendum are the following appendices:

- 1) Amended Trifecta Development Area Plan.
- 2) Trifecta Development Area Plan with indicative wetlands.
- 3) Ecology memo.
- 4) Land Use Capability classifications on the Racecourse site.
- 5) Land Use Capability classifications on the amended Trifecta Development Area Plan.
- 6) Area of Land Use Capability on the different Development Areas.
- 7) National Policy Statement for Highly Productive Land assessment.
- 8) Amended Trifecta Development Area provisions.

1.3 Provided in conjunction with my addendum are amended Trifecta Development Area provisions (**Appendix 8**) and amended Trifecta Development Area Plan (**Appendix 1**). The amendments are as a result of responding to the following:

(a) NPS FM;

(b) Points raised by the reporting officer in the s42A Report and addressed in my primary evidence;

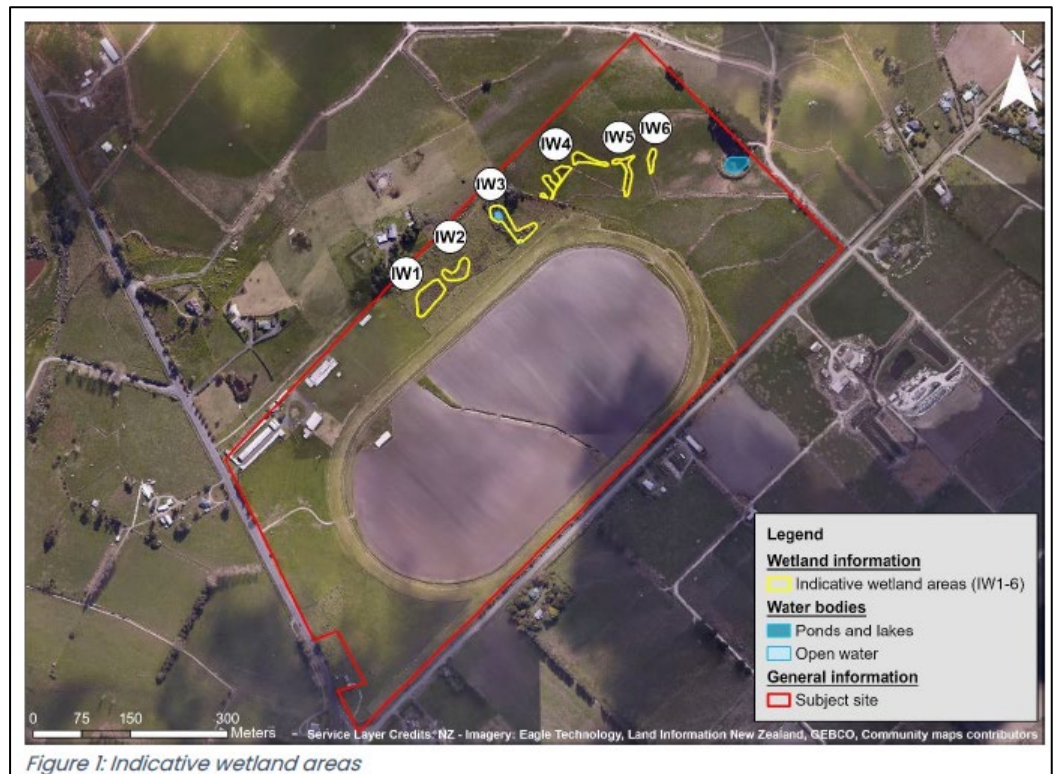
(c) Points raised by submitters in their evidence and addressed in my primary evidence;

(d) Recommendations from PC81 technical experts in their evidence and addressed in my primary evidence; and

(e) Minor amendments to fix typos, clarity, etc.

2. NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

2.1 In response to the reporting officer's s42A Report (para 114, 115, 120, 123 and 124), an ecologist Mr Warden has undertaken an assessment of the site to determine if there are likely to be any 'natural inland wetlands' present on the site. As stated in Mr Warden's memo (**Appendix 3**), six indicative wetlands were identified on the site, refer Figure 1, Table 1 and Appendix 1 in his memo, with Figure 1 included below.



- 2.2 Mr Warden noted that all of these indicative wetlands require further investigation to confirm whether they are a 'natural inland wetland' (after consideration of the exclusions) apply, in accordance with the definition in the NPS FM.
- 2.3 I do not consider that the further investigation is required at the plan change stage of this Resource Management Act (RMA) process. Rather, that investigation can be undertaken at the resource consent stage. Mr Warden in his memo also expresses this view.
- 2.4 To ensure a positive outcome for any natural inland wetlands determined to be present on the site, or any other freshwater feature (such as intermittent streams) that may be identified, I recommend an amendment to the Development Area Plan (**Appendix 1**) and amendments to the TDA provisions (**Appendix 8**). The intent of these amendments are as follows:
- (a) Ensure all indicative wetlands are located within either the Hillside Open Space Area or Large Lot Residential Area (refer amended Development Area Plan).
 - (b) Amendments to the TDA provisions to ensure freshwater features are managed consistent with the NPS FM including giving effect to Te Mana o te Wai.

- 2.5 The Large Lot Residential Area (LLRA) has been extended in a western direction in the amended Development Area Plan (**Appendix 1**) to include the two most westerly indicative wetlands. This amendment transfers approximately 1ha of land previously shown as General Residential Area (GRA) to LLRA. The remaining indicative wetlands are all located within LLRA and Open Space Area (OSA). By way of comparison, the Development Area Plan, as lodged with the plan change request, showing the indicative wetlands is provided in **Appendix 2**. This shows the two western indicative wetlands within GRA.
- 2.6 I consider that a natural inland wetland, should further investigation determined they are present, can mutually co-exist within the Hillside OSA and the LLRA. The TDA provisions already provide for this outcome. A Blue Green Network is already shown on these two Areas in the Development Area Plan (I note that the Blue Green Network is an indicative layout only). The TDA provisions, as lodged with the plan change request, require a Stormwater Management Plan to be undertaken before:
- any land use activity - refer TDA-LU-R3 Any Activity and associated TDA-LU-S5 Three Waters
 - any subdivision activity - refer TDA-SUB-R9 Transport and Three Waters and associated TDA-SUB-S11 Three Waters
- 2.7 The lower residential density in LLRA at 4,000m² will ensure the residential land use is compatible with an ecological feature. In LLRA, there is ample area within which to establish a dwelling and other associated development within the curtilage of the dwelling, while achieving the required setbacks and separation distances from a wetland. The Hillside OSA is located on the elevated portion of the Development Area site and is intended to support informal recreational and community activities. Therefore, it was an expected outcome for residential or open space land uses to co-exist with the Blue Green Network.
- 2.8 I note the difference between the Blue Green Network and the Blue Green OSA. The Blue Green OSA is a sub-set of the Blue Green Network. The Blue Green Network will be located on private and public land. When the Blue Green Network is located on public land, it will be vested in Council

as the Blue Green OSA. A note for clarity has been added to TDA-LU-S5 Three Waters and TDA-SUB-S11 Three Waters.

2.9 To that end, the TDA provisions have been amended to explicitly ensure that any identified 'natural inland wetlands', and any other freshwater feature if found to be present on the site (for example intermittent streams), are appropriately provided for, consistent with the NPS FM, including giving effect to Te Mana o te Wai. In particular, I refer to the following amended provisions:

(a) Introduction for OSA and LLRA

(b) Objective TDA.1.1.5 and Policies TDA.1.2.8 and 10.

(c) Subdivision rules and standards for:

Three Waters - TDA-SUB-R9, TDA-SUB-S11 and TDA-LU-R3,
TDA-LU-S5;

Large Lot Residential Area - TDA-SUB-R2 and TDA-SUB-S2; and

Open Space Area - TDA-SUB-R6 and TDA-SUB-S7.

2.10 The requirement for a Stormwater Management Plan to be undertaken before any land use or subdivision activities remains. However, the proposed amendments now enlarge that assessment to include an assessment of freshwater features (such as intermittent streams). I recommend renaming this a Stormwater and Freshwater Management Plan. I also recommend that the associated Matters of Discretion for this standard require an assessment of the degree to which Te Mana o te Wai for freshwater features are provided for, consistent with the NPS FM.

2.11 I consider that there are strong connections between stormwater and how it is managed, and freshwater features and how they are provided for. Combining the assessment of stormwater and freshwater features is a holistic approach that I consider will result in a better outcome for both.

2.12 I do not consider it warranted to amend the layout of the Blue Green Network shown on the Development Area Plan. This is identified on the Development Area Plan as an indicative layout only, and the presence and location of any 'natural inland wetlands' in accordance with the NPS

FM definition will be determined at resource consent stage, being recorded within the Stormwater and Freshwater Management Plan.

2.13 Therefore, I consider that through further investigation at resource consent stage, if the indicative wetlands shown in Mr Walden’s memo are determined to be ‘natural inland wetlands’ or any other freshwater features (such as intermittent streams) are identified, then they will be appropriately provided for in PC81, consistent with NPS FM.

2.14 I have considered whether amending TDA Plan (**Appendix 1**) to extend LLRA further west will alter potential effects on any person from the TDA Plan as notified. The change from GRA to LLRA (within that mapped area) will result in the following changes:

Provision	General Residential Area	Large Lot Residential Area	Change
Density	500m ² average 400m ² minimum (Permitted activity) or 300m ² minimum (Restricted Discretionary activity)	4,000m ² minimum	Lower density is a positive effect for any person compared to what was notified.
Height	8m	6m	Decrease in height is a positive effect for any person compared to what was notified.
Setbacks	20m to Rural zone	10m to Rural zone	Decrease in setbacks could potentially create an effect on persons compared to what was notified.

2.15 I consider that the decrease in setbacks from 20m to 10m is not an increase in effect because this is combined with a significant reduction in density. Previously under GRA, this 1ha area could potentially have resulted in 20 allotments at an average size of 500m², while under LLRA there will only be 2 allotments at a minimum size of 4,000m². It is also worth comparing the current provisions under the operative Rural zone, with 10m height and only 3m side and rear yards. Therefore, the degree of effects from the change in setbacks from the operative provisions is positive, and the degree of effects from the change in setbacks from GRA to LLRA is mitigated with the significant reduction in density. Based on this assessment, I consider that no persons could be considered adversely affected by this proposed westerly extension of the LLRA, compared to the TDA Plan as notified.

3. NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPS HPL)

3.1 In response to the reporting officer's s42A Report (para 125-149), the Applicant sought GIS mapping of Maanaki Whenua Landcare Research data set NZLRI on the site and overlaid on the amended Development Area Plan. Land Use Capability (LUC) 2 and 3 are present on the Racecourse site, as shown in map in **Appendix 4**, with LUC 2 and 3 shown on the amended Development Area Plan provided in **Appendix 5**, and the amount of area occupied by each LUC in each Development Area is shown in **Appendix 6**.

3.2 I provide an assessment of PC81 against the NPS HPL, in particular objective 2.1, policy 5, policy 9 and clauses 3.6(4) and (5) (refer **Appendix 7**). I note that the s42A Report states that NPS HPL Policy 6 is relevant to the assessment of PC81 as it relates to Rural Lifestyle rezoning. I clarify that the Large Lot Residential Area is not a 'rural lifestyle' zone, as the NPS HPL defines 'urban' to include 'large lot residential'. Therefore, Policy 6 is not relevant to the assessment of the Trifecta Development Area.

3.3 By way of summary, I consider that PC81 passes the three 'tests' in Clause 3.6(4) because:

(a) There is a demand for housing and business land in Dargaville, identified in both the Dargaville Spatial Plan and PC81.

(b) The other options for the delivery of the housing and business land, as identified in the Spatial Plan, is not reasonably practicable or feasible for industrial rezoning, while for housing land, it might be reasonably practicable but not all Neighbourhoods are feasible.

(c) The benefits of PC81 are comprehensively demonstrated in the plan change request documents and reports. The costs from the loss of HPL from primary production are considered to be relatively minor given the small areas of LUC 2 and 3 located on the margins of the site. In my opinion the benefits of the rezoning outweigh the costs associated with the loss of HPL.

3.4 A summary of my assessment against Clause 3.6(5) is that the spatial extent of LUC 2 and 3 located on the site is relatively small occupying two corners of the site. Therefore, PC81 urban rezoning represents the minimum necessary, and will provide for the required development capacity while achieving a well-functioning urban environment, as demonstrated in PC81 reports and assessments.

4. AMENDMENTS TO THE TRIFECTA DEVELOPMENT AREA PROVISIONS

4.1 In addition to the amendments to the TDA provisions identified above, responding to the NPS FM, amendments have been made to the provisions in response to points raised in the s42A Reports and points raised by submitters. Some 'tidy-up' amendments have also been included to correct typos, improve clarity, etc. The changes to the provisions are tracked with comment boxes included to explain the reason for the amendment. The amended Trifecta Development Area provisions are in **Appendix 8**.

5. Section 32AA Further Evaluation

5.1 I provide a Section 32AA further evaluation for the amendments to the provisions as a result of NPS FM and NPS HPL. The PC81 amendments are focused on achieving an efficient and effective outcome for both National Policy Statements.

5.2 For the NPS FM, it is efficient to undertake further ecological investigation of freshwater features that may be present on the site as part of the overall assessment of the Blue Green Network. I consider it effective to include

the management of freshwater features with stormwater, providing a holistic approach.

- 5.3 For NPS HPL, I consider that providing for the rezoning of relatively small areas of HPL located on the margins of the site will result in an efficient use of the site, rather than leaving these areas in rural production use. The urban rezoning uses the minimum necessary of HPL. The rezoning will provide the required development capacity while achieving a well-functioning urban environment. Therefore, PC81 is an efficient and effective outcome for the relatively small areas of HPL present on the site.

6. Part 2 Purpose and Principles of the Resource Management Act

- 6.1 As noted in my primary evidence, I provide this Part 2 assessment of PC81 response to NPS FM and NPS HPL.
- 6.2 In my opinion, PC81 is consistent with the s5 purpose of the RMA because it seeks to safeguard the life supporting capacity of water by ensuring that provisions relating to the safe and efficient establishment and operation of three waters infrastructure apply at the time of subdivision and development, including an assessment of freshwater features consistent with NPS FM. These features will be appropriately provided for and managed through a Stormwater and Freshwater Management Plan and the Blue Green Network. Te Mana o te Wai outcomes for those freshwater features will be given effect to. Therefore, the potential adverse effects that can be associated with urban activities on the environment will be avoided, remedied or mitigated through the PC81 provisions.
- 6.3 PC81 recognises and provides for Section 6(a) matters of national importance, in particular, wetlands as other s6 matters were covered in my primary evidence. This is achieved through the Stormwater and Freshwater Management Plan that will require the ecological identification of freshwater features consistent with NPS FM, that Te Mana o te Wai outcomes are given effect to, and that the features identified are included in the Blue Green Network.

- 6.4 Through these measures in PC81, I consider the s7 matters are achieved, including kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, while valuing the intrinsic values of ecosystems.

Venessa Anich

22 March 2023

Appendix 1: AMENDED DEVELOPMENT AREA PLAN



Areas

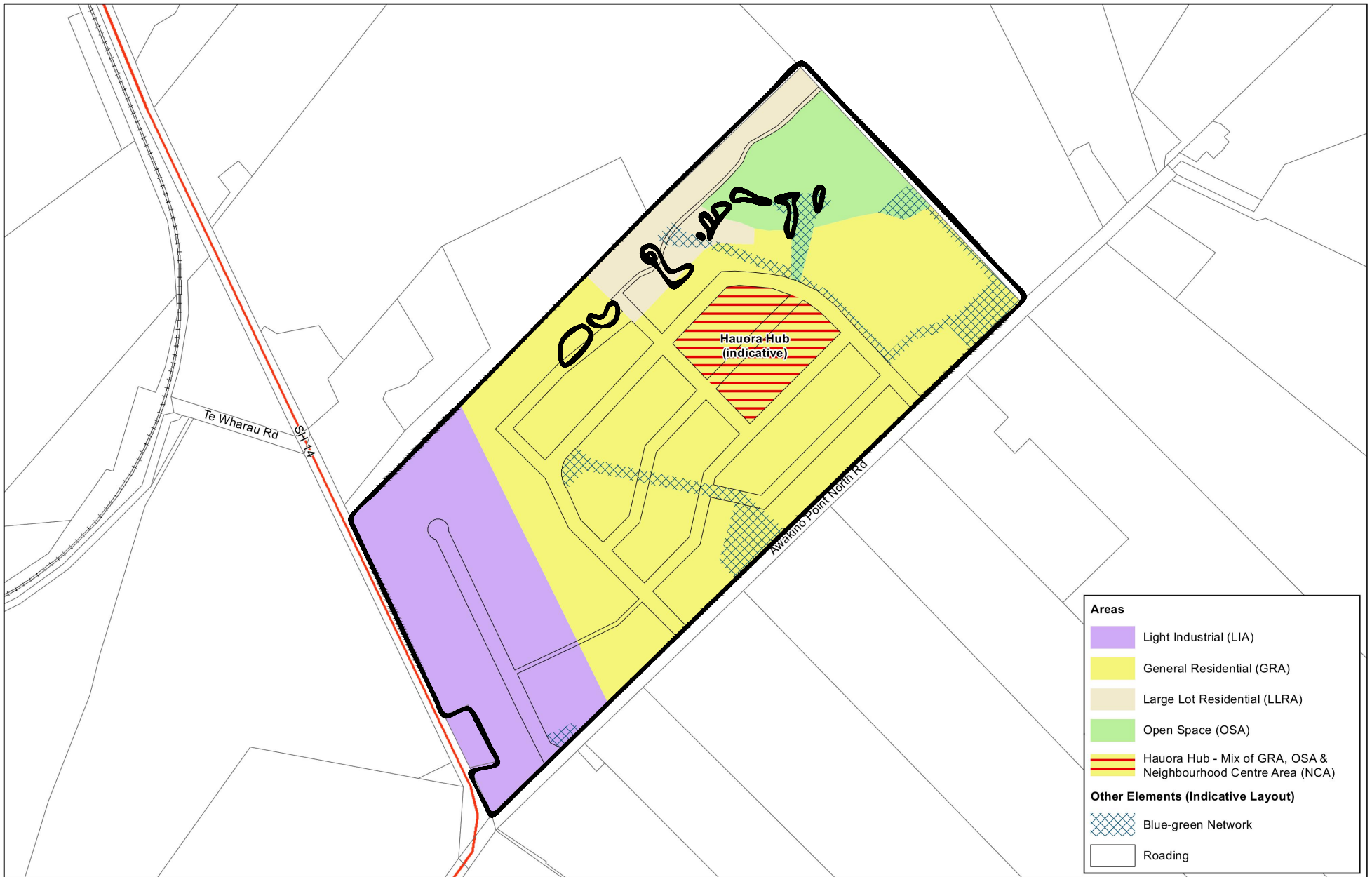
- Light Industrial (LIA)
- General Residential (GRA)
- Large Lot Residential (LLRA)
- Open Space (OSA)
- Hauora Hub - Mix of GRA, OSA & Neighbourhood Centre Area (NCA)

Other Elements (Indicative Layout)

- Blue-green Network
- Roading

Data Source: Toitū Te Whenua Land Information NZ, Kaipara District Council

**Appendix 2: INDICATIVE WETLANDS ON DEVELOPMENT AREA PLAN
(as lodged with Plan Change Request)**



Areas

- Light Industrial (LIA)
- General Residential (GRA)
- Large Lot Residential (LLRA)
- Open Space (OSA)
- Hauora Hub - Mix of GRA, OSA & Neighbourhood Centre Area (NCA)

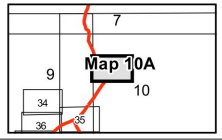
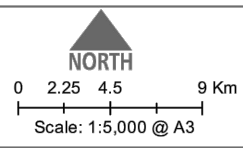
Other Elements (Indicative Layout)

- Blue-green Network
- Roading

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Map Series One Development Area Plan



Appendix 3: MEMO FROM ECOLOGIST



15th March 2023

Dargaville Racing Club Inc
Dargaville Racing Club, SH14,
Awakino Point, Dargaville

Cc/ - Venessa Anich (Lands & Survey)

Venessa Anich on behalf of Dargaville Racing Club Inc contacted Rural Design 1984 Ltd (RDL) to conduct a wetland assessment at Dargaville Racing Club, SH14, Awakino (from herein referred to as 'the subject site') as part of a private plan change request.

Prior to visiting the site, a desktop assessment was carried out to review the private plan change application and additional information. Furthermore, we analysed current and historical aerial imagery, contours and available waterbody data.

Following the desktop assessment, a site visit in March 2023 was undertaken to assess all potential 'natural inland wetland' areas based on historical or current aerial imagery. For wetland delineation protocols in the field, the NPS-FM refers to the Ministry for the Environment (MfE) Wetland delineation protocols (2020), which are based on the Vegetation Tool for wetland delineation in New Zealand (Clarkson 2013) to determine the status of wetlands. These rely on the presence or absence of hydrophytic vegetation as being the dominant vegetation type. The list of hydrophytes used in this assessment are as per the most recently revised list (Clarkson et al. 2021). Please note that this tool is primarily based on the assessment of only one environmental criterion – plant communities and does not consider soil hydrology or the ecological values and significance of wetland areas.

The indicative wetland areas were delineated using a handheld GPS (Trimble TDC600) with an accuracy of 1 m which was analysed and incorporated into mapping on ArcGIS Pro. By applying the 'Rapid Test', six indicative areas were consistent with the definitions of a 'natural inland wetland' as defined under NPS-FM (2020) (Version as at February 2023) (Figure 1, Table 1 & Appendix 1).

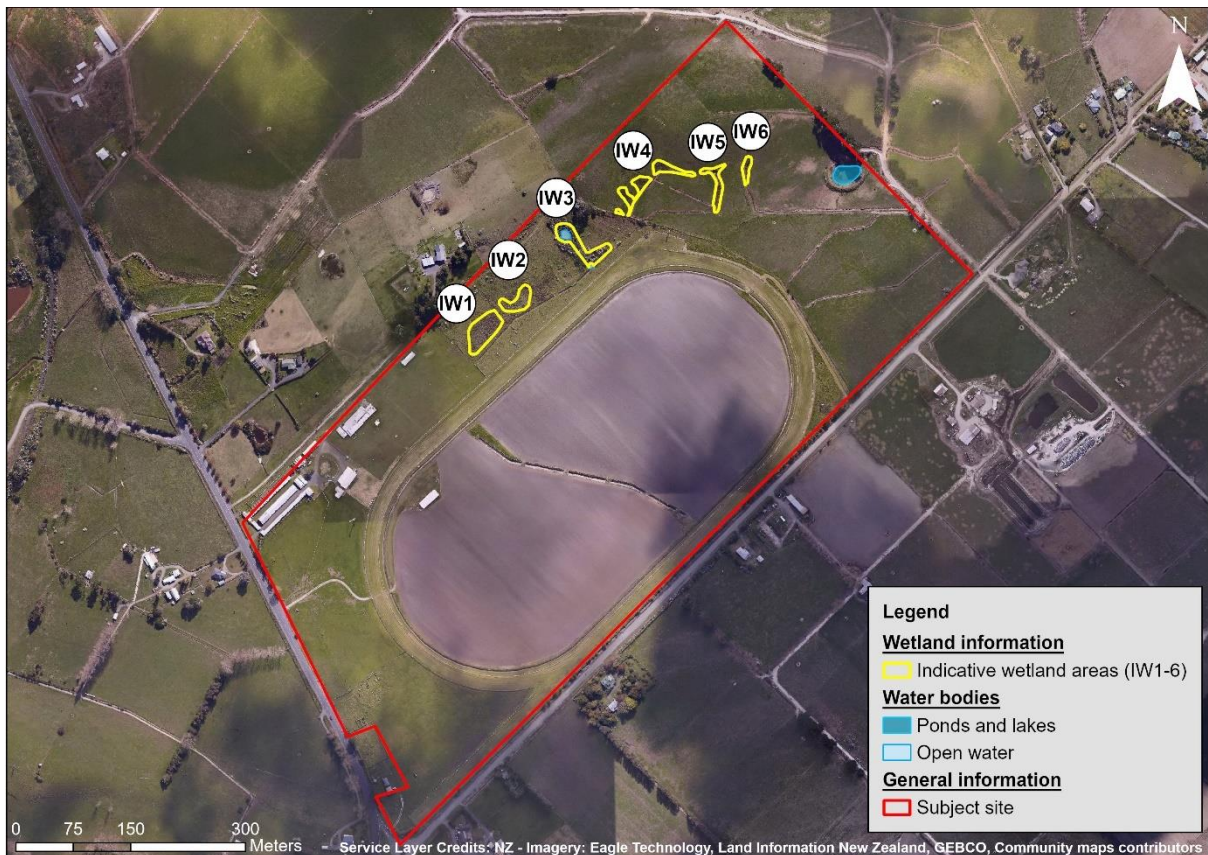


Figure 1: Indicative wetland areas

Table 1: Indicative wetland areas & rapid assessment

Indicative Wetland Areas	Rapid Assessment
<p>IW 1 & 2</p>	<p>The indicative areas are visible within the historical imagery. It appears the associated drainage channels were historically established to drain the wetlands. The wetlands are generally dominated by 'Facultative Wetland' species including but not limited to <i>Juncus</i> spp., sharp spike sedge (<i>Eleocharis acuta</i>), globe sedge (<i>Cyperus brevifolius</i>) and creeping bent (<i>Agrostis stolonifera</i>). The actual extent of both wetlands requires further assessment. Currently the edges have been dominated by the 'Facultative' pasture species kikuyu (<i>Cenchrus clandestinus</i>).</p>
<p>IW 3</p>	<p>The indicative area is visible within the historical imagery. It appears the associated drainage channels were historically established to drain the wetland. Furthermore, two old dams have been established in this area.</p> <p>There is an invasion of weeds such as pampas (<i>Cortaderia</i> spp.). Pampas is considered a 'Facultative' species so even if further surveys are undertaken and pampas is the dominant species and the soils and hydrology indicate a wetland, then the area would likely be considered a 'natural inland wetland'. What further supports this assumption is species typical of a manuka fen (known wetland habitat type) such as 'Facultative Wetland' species tangle fern (<i>Gleichenia dicarpa</i>), <i>Machaerina teretifolia</i> and <i>Netrostylis</i></p>

	<p><i>capillaris</i> are present as well as manuka (<i>Leptospermum scoparium</i>) and <i>Coprosma propinqua</i> var. <i>propinqua</i>.</p> <p>As the dams appear to have been placed inside the extent of the historical wetland and wetland vegetation features are present both behind and below the main dam, the indicative area and/or parts would likely be best described as an Induced wetland.</p>
IW4	<p>These scattered areas appear to be more directly associated with the formation of the drainage channels even though there is some evidence of a wetland feature within the historical imagery. These areas were largely a mosaic of 'Facultative Wetland' soft rush (<i>Juncus effusus</i>) merging with kikuyu and other pastoral type grasses and herbs.</p>
IW5 & 6	<p>These areas are small but are clearly associated with spring seeps and dominated by indigenous wetland vegetation such as 'Obligate' orange nut sedge (<i>Machaerina rubiginosa</i>) with 'Facultative Wetland' swamp kiokio (<i>Blechnum minus</i>), <i>Juncus planifolius</i>, <i>Juncus primatocarpus</i>, <i>Lobelia anceps</i> and bog rush (<i>Schoenus maschalinus</i>).</p>
Other waterbodies	<p>Historically modification of the site is high and all remaining waterbodies on site have been highly modified. It is considered that some of the drainage channels on site were directly associated with natural drainage systems and could meet the definition of a 'River or stream' under the Northland Regional Plan.</p>
Definitions	<p>National Policy Statement for Freshwater (NPS-FM 2020) (Version as at February 2023)</p> <p>Natural inland wetland means a wetland (as defined in the Act) that is not:</p> <ul style="list-style-type: none"> (a) in the coastal marine area; or (b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or (d) a geothermal wetland; or (e) a wetland that: <ul style="list-style-type: none"> (i) is within an area of pasture used for grazing; and (ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless

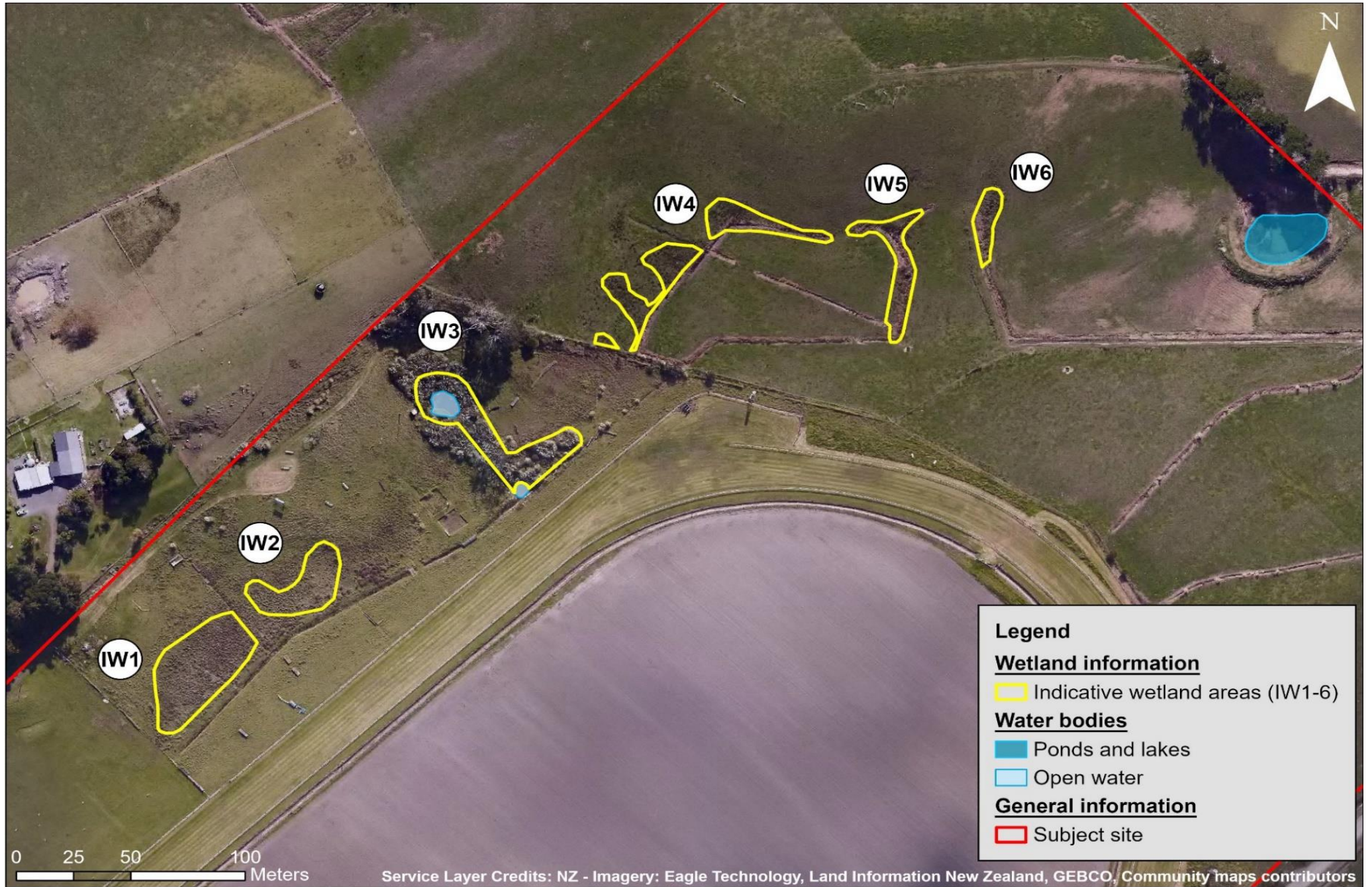
	<p>(iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply</p> <p>Hydrophytes (hydrophytic vegetation)</p> <p>Under the vegetation tool for wetland delineation in New Zealand hydrophytes are defined as plant species capable of growing in soils that are often or constantly saturated with water during the growing season. The hydrophyte categories (wetland indicator status ratings: Clarkson et al. 2013) are:</p> <ul style="list-style-type: none"> - Obligate (OBL): occurs almost always in wetlands (estimated probability >99% in wetlands) - Facultative Wetland (FACW): occurs usually in wetlands (67–99%) - Facultative (FAC): equally likely to occur in wetlands or non-wetlands (34–66%) - Facultative Upland (FACU): occurs occasionally in wetlands (1–33%) - Upland (UPL): rarely occurs in wetlands (<1%), almost always in ‘uplands’ (non-wetlands).
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Based on a site survey visit conducted in March 2022, it was considered that, according to MfE protocols, six indicative wetland areas containing hydrophytic vegetation were representative of a ‘natural inland wetland’ as defined under the NPS-FM (2020) (Appendix 1). The site also contains waterbodies consisting of drainage channels associated with the historical land use and the racecourse facilities.

It is recognised that the indicative wetland areas identified on site will require further onsite investigation for any Resource Consent Application on site including but not limited to soils/hydrology investigations and testing whether any of the recently released (February 2023) natural inland wetland exclusions apply.

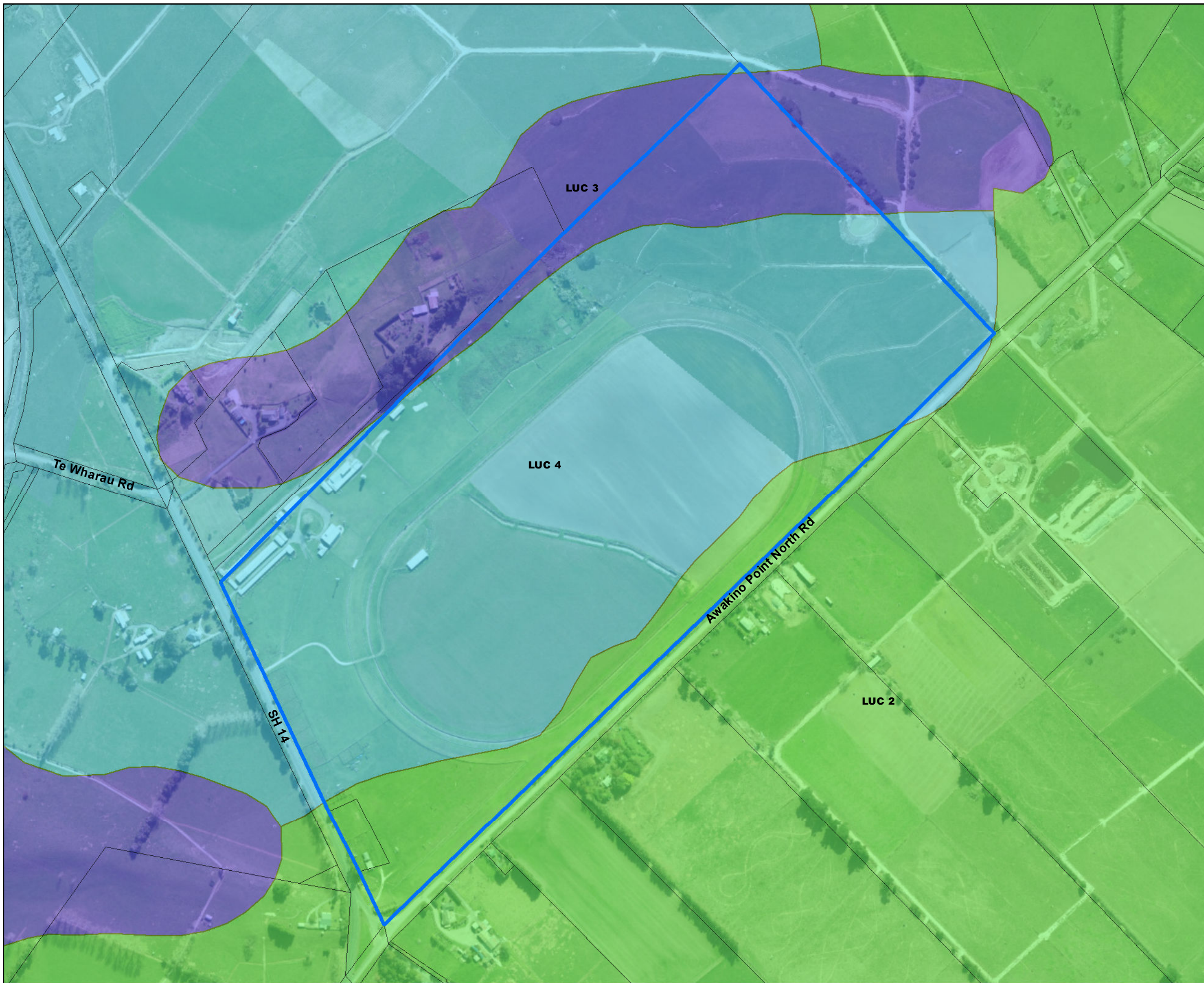
Kind regards,
 Jack Warden
 Senior Ecologist
 BAppSci - Maj Biodiversity Management
 Rural Design 1984 Ltd
 15.03.2023

Appendix 1 – Indicative Wetland Areas



**Appendix 4: LAND USE CAPABILITY CLASSIFICATIONS (LUC) PRESENT
ON THE DARGAVILLE RACECOURSE SITE**

(source: Maanaki Whenua Landcare Research data set NZLRI)



Legend

- PPC81 Dargaville Racecourse
- LUC Class 2 - Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
- LUC Class 3 - Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
- LUC Class 4 - Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.

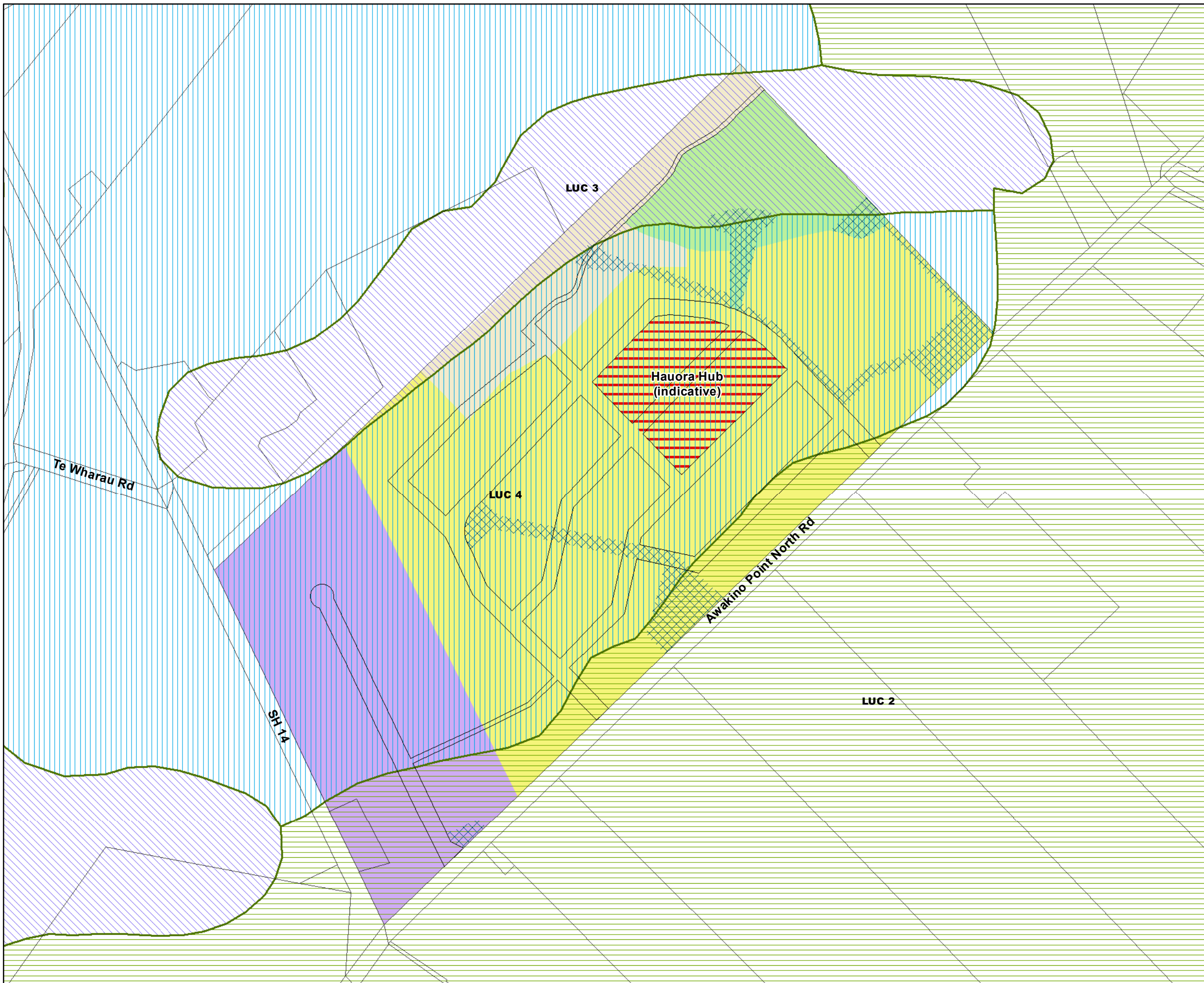
Area of LUC classes within PPC81 Dargaville Racecourse

LUC	Area (Ha)
2	5.77
3	4.41
4	34.65

Data Source: Manaaki Whenua Landcare Research, Toitū Te Whenua Land Information NZ, Kaipara District Council

**Appendix 5: LAND USE CAPABILITY CLASSIFICATIONS (LUC) PRESENT
ON AMENDED TRIFECTA DEVELOPMENT AREA PLAN**

(source: Maanaki Whenua Landcare Research data set NZLRI)



Legend

LUC Class 2 - Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

LUC Class 3 - Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

LUC Class 4 - Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.

PPC81 Proposed

- Light Industrial (LIA)
- General Residential (GRA)
- Large Lot Residential (LLRA)
- Open Space (OSA)
- Hauora Hub - Mix of GRA, OSA & Neighbourhood Centre Area (NCA)

Other Elements (Indicative Layout)

- Blue-green Network
- Roading

Area of LUC classes within PPC81 Zones Dargaville Racecourse

LUC	Area (Ha)
LUC 2	
General Residential	3.08
Light Industrial	2.69
LUC 3	
General Residential	0.09
Large Lot Residential	1.76
Open Space	2.67
LUC4	
General Residential	21.38
Hauora Hub (indicative)	2.66
Large Lot Residential	2.15
Light Industrial	7.80
Open Space	0.98

Data Source: Manaaki Whenua Landcare Research, Toitū Te Whenua Land Information NZ, Kaipara District Council

Appendix 6: AREA OCCUPIED BY THE DIFFERENT AREAS BY UNDER THE DIFFERENT LAND USE CAPABILITY CLASSIFICATIONS (LUC) ON THE TRIFECTA DEVELOPMENT AREA SITE

(source: Maanaki Whenua Landcare Research data set NZRL)

LUC within PC81 Dargaville Racecourse Site:

LUC	Description	Land Area (Ha)
2	Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.	5.77
3	Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.	4.54
4	Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.	34.97

LUC within PC81 Development Areas:

LUC	PPC81 Proposed Area	Land Area (Ha)
2	General Residential	3.08
2	Light Industrial	2.69
3	General Residential	0.09
3	Large Lot Residential	1.76
3	Open Space	2.67
4	General Residential	21.38
4	Hauora Hub (indicative)	2.66
4	Large Lot Residential	2.15
4	Light Industrial	7.80
4	Open Space	0.98

Appendix 7: NATIONAL POLICY STATEMENT for HIGHLY PRODUCTIVE LAND – assessment of Plan Change 81 against Objective 2.1, Policy 5, and Clauses 3.6(4) and (5)

Plan Change 81 Dargaville Racecourse and National Policy Statement for Highly Productive Land (NPS HPL)

An assessment of Objective 2.1, Policy 5, Policy 9 and applying Clause 3.6(4)(a), (b) & (c) and Clause 3.6(5) to Plan Change 81 (PC81) Trifecta Development Areas: Large Lot Residential, General Residential & Light Industrial

Note 1: Hillside Open Space Area has been excluded from this assessment because the definition of 'urban' in the NPS HPL excludes Natural Open Space zone. The National Planning Standards defines Natural Open Space zone as: Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. The TDA provisions provide for this outcome for the Hillside OSA therefore it fits within the definition of a Natural Open Space and is excluded from the definition of 'urban'.

Note 2: 'Large Lot Residential' is included as an urban zone under the NPS HPL definitions.

Provision	Residential Zone	Industrial Zone
	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) 	<ul style="list-style-type: none"> - Light Industrial Area (LIA)
Objective 2.1		
Highly productive land is protected for use in land-based primary production, both now and for future generations.	The intent of ensuring highly productive land is available for land-based primary productive use will be honoured by PC81. Only relatively small areas of Land Use Capability (LUC) 2 and 3 present on the margins of site will be rezoned for urban land uses. The proposed urban rezoning is consistent with Policy 5 as it passes the 'tests' under Clause 3.6(4) and (5).	
Policy 5		
The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.	Clause 3.6(4) provides for urban rezoning of highly productive land only if the three sub-clauses are each satisfied. I note that Kaipara District Council is not a Tier 1 or 2 territorial authority.	
Policy 9		
Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.	The assessment of reverse sensitivity in my primary evidence (refer paragraphs 12.2-12.21) applies equally to an assessment of PC81 against Policy 9, with regard to primary production activities on the surrounding properties. I consider that the TDA provisions will ensure that the potential for reverse sensitivity effects have been appropriately managed, ensuring that the operation of neighbouring farms is not constrained by the urban rezoning of the site. I note that this 'manage' approach is consistent with Policy 9, rather than avoid, for example.	

Provision	Residential Zone	Industrial Zone
<p>Clause 3.6(4) Territorial Authorities that are not Tier 1 or 2 may allow urban rezoning of highly productive land only if:</p>	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) 	<ul style="list-style-type: none"> - Light Industrial Area (LIA)
<p>(a) the urban zone is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and</p>	<p>PC81 has been designed for the whole 46ha site area (approx.), of which a relatively small portion is HPL, approx. 10.31ha or 22.5% (refer to map in Appendix 7).</p> <p>The portions of PC81 that are located on LUC 2 and 3 are required to provide development capacity to meet expected demand for both housing (GRA and LLRA) and business land (LIA).</p> <p>‘Expected demand’ for housing and business land is identified in the Market Demand Report (Appendix 7 to the Plan Change request) and is identified in the Dargaville Spatial Plan.</p>	
	<p>The Market Demand Report identified that there is a high demand for housing land in Dargaville because there is a severe housing shortage. Housing demand includes the need for a mix of housing typologies and tenures, and the need to provide for future population growth.</p> <p>The Market Demand Report is supported by a Housing Demand Survey and a Retirement Living Insights Report.</p> <p>The Dargaville Spatial Plan identifies the need to provide for existing and projected residential growth of Dargaville. The Spatial Plan (pages 48 and 49) identified that the required development capacity (yield estimates) is 307ha of housing on existing rural zoned land (leaving aside infill and intensification of existing residential zones). At a moderate growth scenario, the required new areas of residential zoned land equates to 3,686 new lots or dwelling units.</p>	<p>The demand for business land is identified in the Market Demand Report, including the demand for small to medium-sized commercial or light industrial properties in Dargaville and the wider surrounding area.</p> <p>The Dargaville Spatial Plan stated that more land for Industrial use was needed for Dargaville and identified ‘Industrial’ on part of the Racecourse site (Neighbourhood 7 Awakino Point). The Spatial Plan (pages 48 and 49) identified that the required development capacity (yield estimates) of 184ha for Industrial at Awakino Point. At a moderate growth scenario, the required new areas of industrial zoned land equates to 832 new commercial lots principally at Awakino Point (Neighbourhood 7).</p>

Provision	Residential Zone	Industrial Zone
<p>b) there are no other reasonably practicable and feasible options for providing the required development capacity; and</p>	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) <p>The Dargaville Spatial Plan provides for greater intensification of existing residential areas, refer Neighbourhoods 2 Dargaville East, Neighbourhood 4 North Dargaville and Neighbourhood 8 South Dargaville. As articulated in the s32 evaluation in the Statutory Assessment (para 368), it is anticipated that there will not be 100% uptake of infill growth within existing residential areas of Dargaville. That is because infill relies on willing individual property owners, small scale subdivisions (e.g. one parent Title subdivided into two Lots), and frequently constrained by factors like the position of the existing built form onsite and/or access issues. And therefore, intensification of existing residential areas is not always practicable or feasible and is likely to only partially satisfy the demand for residential growth.</p> <p>The practicability and feasibility of new (currently zoned Rural) residential land in the Spatial Plan requires a consideration of whether Neighbourhood 5 Awakino River Neighbourhood and Neighbourhood 6 Outer Dargaville Plateau are reasonably practicable and feasible to provide the required development capacity. The Spatial Plan describes the topography as rolling hills. These hills are dissected by gullies, guts and ridges, but none-the-less, might be considered as reasonably practicable to develop. These topographic features mean there is less developable land directly for urban land uses, which may make the development not feasible due to lower Lot yield.</p>	<ul style="list-style-type: none"> - Light Industrial Area (LIA) <p>The Dargaville Spatial Plan provides for greater intensification of existing industrial areas, refer to portions of Neighbourhood 2 Dargaville East, Neighbourhood 1 Dargaville Town Centre, and Neighbourhood 8 South Dargaville. The existing industrial areas within each of these Neighbourhoods occupies a relatively small area. As discussed in the s32 evaluation in the Statutory Assessment (para 368), intensification or infill limits the type and size of business that can establish, given there will only be a relatively small footprint available. In addition, all existing industrial zones are within the Northland Regional Council Flood Hazard areas. Refer to Appendix 15 of the plan change request for a map that illustrates the strong correlation between the existing urban zones and the river and coastal flood hazards.</p> <p>There are no reasonably practicable and feasible options for new industrial land identified in the Spatial Plan that is flood free except for portions of Neighbourhood 7 Awakino Point, including the TDA site. LIA is established approximately on the area that the Spatial Plan allocated for this new industrial area.</p> <p>LIA is practicable and feasible. It is outside of the Flood Hazard area. It is a greenfield site which will better support the establishment of industrial businesses and operations compared to infill and intensification of existing industrial zoned land which are less viable options for industrial growth.</p>

Provision	Residential Zone	Industrial Zone
	<p data-bbox="562 236 1010 300"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) </p> <p data-bbox="562 309 1290 443"> The lower portions are within the NRC flood hazard mapping (from Awakino River), which removes more area from these Neighbourhoods that are not practicable or feasible to develop. </p> <p data-bbox="562 488 1285 695"> Both Neighbourhoods 5 and 6 will require new roading and three waters infrastructure extensions, with Neighbourhood 6 requiring a substantial extension of services given it is the furthest north of all the Neighbourhoods. This is an additional development cost which may make the development not feasible. </p> <p data-bbox="562 740 1290 948"> Neighbourhood 8 South Dargaville also has new residential portions that are above the mapped flood hazard, however it is hilly (and in Exposure Draft Kaipara District Plan this area is shown as Large Lot Residential with Rural Lifestyle behind to the west, so does not achieve the residential lot yield of PC81). </p> <p data-bbox="562 992 1290 1126"> Private Plan Change 82 is located within Neighbourhood 5, and therefore the feasibility of developing this area (approximately 39.2ha) for urban land uses would have been undertaken. </p> <p data-bbox="562 1171 1227 1235"> ‘Feasible’ is defined in the National Policy Statement on Urban Development as: </p> <ul data-bbox="562 1248 1285 1345" style="list-style-type: none"> • for the short to medium term (within the next 10 years), commercially viable to a developer based on the current relationship between costs and revenue. 	<p data-bbox="1314 236 1675 268"> - Light Industrial Area (LIA) </p>

Provision	Residential Zone	Industrial Zone
	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) <ul style="list-style-type: none"> • for the long term (between 10 and 30 years), commercially viable to a developer based on the current relationship between costs and revenue, or on any reasonable adjustment to that relationship. <p>The feasibility of developing Neighbourhoods 6 and 8 has not been determined, including the impact of the variables like topography and extension of infrastructure services.</p> <p>GRA and LLRA in the TDA are confirmed as reasonably practicable and feasible by the reports prepared for PC81.</p>	<ul style="list-style-type: none"> - Light Industrial Area (LIA)
<p>(c) the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land from land-based primary production, taking into account both tangible and intangible values.</p>	<p>The environmental, social, cultural and economic benefits of rezoning have been articulated in the Statutory Assessment for the plan change request. In particular, the s32 evaluation (theme 4 Development Area Location, para 368), the Assessment of Environmental Effects, and in the supporting reports to the plan change request including the Economic Impact Assessment (Appendix 6 to the Plan Change request, which included a Cost Benefit Analysis and Development Feasibility Report), the Social Impact Assessment (Appendix 9 to the Plan Change request), and the two Cultural Impact Assessments (Appendices 11A and 11B to the Plan Change request). Collectively, these assessments identified the environmental, social, cultural and economic benefits of the rezoning proposed in PC81.</p> <p>Considering these assessments when applied to portion of the site occupied by LUC 2 and 3 (refer maps in Appendices 5 and 6), I make the following observations:</p> <ul style="list-style-type: none"> • the biodiversity values of LUC3 can be well managed in LLRA and Hillside OSA because of comprehensive stormwater management and freshwater enhancement (including any ‘natural inland wetlands’); • gardens and orchards are enabled within OSA; • farming is enabled within LLRA; • GRA includes a 10m setback from Awakino Point North Road that will be landscaped around the perimeter including the portions within LUC 2; • Hauora (community wellbeing) is an overarching philosophy, which is an intangible value of PC81; • Hillside OSA is not ‘urban’ so it is not a loss of HPL, therefore this area of LUC 3 is preserved for the future. 	

Provision	Residential Zone	Industrial Zone
	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) 	<ul style="list-style-type: none"> - Light Industrial Area (LIA)
<p>Regarding the costs associated with the loss of highly productive land from land-based primary production;</p> <ul style="list-style-type: none"> • Environmental costs: could include placing increased pressure on the environment where the remaining areas of LUC 2 and 3 are located, causing them to be degraded from intensive rural productive practices. The areas of LUC 2 and 3 on the site however are relatively small (1.85ha and 5.77ha respectively) and therefore any displaced land-based primary production is also relatively small. • Social costs: could include an increase in the cost of fresh produce because there is less LUC 2 and 3 land within which to grow them on. This is equally a cultural concern if the loss of LUC 2 and 3 land results in health and affordability outcomes for the people. Given the relatively small areas of LUC 2 and 3 on the site however (1.85ha and 5.77ha respectively) the direct effect on the cost of fresh produce is likely to be limited. • Economic costs: The Cost Benefit Analysis assessed the loss of grazing income from the Racecourse site as \$524,000 (from 2023 to 2050). LUC 3 and LUC 2 are however relatively small areas on the margins of site (1.85ha and 5.77ha respectively), therefore they would provide limited economic viability if retained in productive use when the area occupied by LUC 4 over the majority of site is rezoned for urban land uses. <p>The above costs-benefit assessment has largely focused on tangible values. Based on the NPS HPL Guide to Implementation, intangible values of HPL present on the site include consideration of the following:</p> <ul style="list-style-type: none"> • its value to future generations. • its finite characteristics and limited supply. • its ability to support community resilience. • the limited ability of other land to produce certain products. <p>I have considered the HPL present on the site through this lens, and conclude that while there will be some intangible costs, given the relatively small areas of LUC 2 and 3 on the margins of the TDA site (1.85ha and 5.77ha respectively), these costs are likely to be limited. I consider that this limited loss of intangible values is outweighed by the value of PC81 to future generations and by supporting community resilience through providing housing and business land that is flood free and feasible to develop.</p> <p>On balance, I consider that the collective benefits of rezoning outweigh the collective costs associated with the loss of the relatively small areas of LUC 2 and 3 located on the margins of the site from land-based primary production.</p>		

Provision	Residential Zone	Industrial Zone
<p>Clause 3.6(5)</p> <p>Territorial Authorities must take measures to ensure that the spatial extent of any urban zone covering highly productive land is the minimum necessary to provide the required development capacity while achieving a well-functioning urban environment.</p>	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) <p>The area of LUC 2 on the site is 5.77ha, while the area of LUC 3 on the site is 1.85ha (excluding OSA). Combined this is 7.62ha of urban use within HPL, with the remainder of the 46ha site being on LUC 4 land.</p> <p>Of the LUC 2 and 3 present District wide, on the site is 0.04% of the District’s LUC 2 land and 0.02% of the District’s LUC 3 land (excluding LUC 3 on OSA).</p> <p>This is the minimum necessary to achieve a well-functioning urban environment. LUC 2 and 3 are both located along boundaries of the site, therefore excluding from urban use would leave long thin areas that would not be practicable to put into rural productive use. LUC 2 would be even smaller once access to LIA and GRA from Awakino Point North Road is provided for, which is necessary for well-functioning urban environment on the site.</p> <p>The majority of LIA is located on LUC 4 (7.51ha) which is not HPL, with approx. 2.69ha of LIA located on HPL (LUC 2). LUC 2 is located along the local road boundary and a small length of the State Highway boundary.</p> <p>The majority of GRA is located on LUC 4 (21.38ha) which is not HPL, with approx. 3.06ha of GRA located on LUC 2 and 0.09ha of GRA located on LUC 3. The GRA portion of LUC 2 is located along the local road boundary.</p> <p>The majority of LLRA is located on LUC 4 (2.15ha) which is not HPL, with approx. 1.76ha of LLRA located on LUC 3. LUC 3 is located along the north-western boundary.</p> <p>It is not possible to move the LIA and GRA off LUC 2 as this land fronts Awakino Point North Road which provides the only reasonably practicable and feasible road access into the LIA and GRA. I acknowledge that it is theoretically possible to bring all of the access in at either the south-east corner of the site further along Awakino Point North Road, over LUC 4, or access through the north-western corner of the site off SH14, over LUC 4. However, there will be Blue Green Network in the south-east corner of the site, and an outcome of a well-functioning urban environment will not be achieved if there is a single entrance and exit to the site shared by LIA heavy vehicles and residential users, with the LIA traffic having to travel the furthest through the residential area to reach LIA. Direct access off SH14 would not be supported by Waka Kotahi, as noted in their submission (point 5.15) which supports TDA-SUB-S10 which states that no allotment may gain direct access off SH14.</p>	<ul style="list-style-type: none"> - Light Industrial Area (LIA)

Provision	Residential Zone	Industrial Zone
	<ul style="list-style-type: none"> - General Residential Area (GRA) - Large Lot Residential Area (LLRA) 	<ul style="list-style-type: none"> - Light Industrial Area (LIA)
<p>I note that a lot of the other Industrial land identified in the Spatial Plan at Awakino Point is LUC 2 or LUC 3. Therefore, the TDA site minimises the loss of LUC 2 land while providing for industrial land use on predominantly LUC 4 land.</p> <p>I note that with Hillside OSA occupying 2.67ha of the 4.41ha of LUC 3 land on the site, this has minimised loss of LUC 3 land to urban zones.</p> <p>When the wider area of Awakino Point is viewed, it is mostly LUC 2 between Awakino Point North Road and the Northern Wairoa River. It is only the outer extent of LUC 2 that crosses the road and runs along the edge of the TDA site. I consider that the urban use of the portions of LUC 2 present on the site is the minimum necessary. It does not result in fragmentation of the rural productive use because the road already separates the LUC 2 on the site with the bulk of the LUC 2 between the road and the river.</p> <p>LIA, GRA and LLRA are an integral part of the overall layout of the TDA, that has the overarching design principle of Hauora or well-being for the community, ensuring an outcome of a well-functioning urban environment.</p> <p>The required development capacity is demonstrated under Clause 3.6(4)(a) above.</p>		

Appendix 8: AMENDED TRIFECTA DEVELOPMENT AREA PROVISIONS

(circulated separately)