

**IN THE MATTER** of the Resource Management Act  
1991 (**RMA**)

**AND**

**IN THE MATTER** of a Private Plan Change 81  
application for the Dargaville  
Racecourse by **Dargaville  
Racecourse Inc.**

### **THIRD DIRECTION OF THE HEARING PANEL**

1. Pursuant to section 34A of the RMA, Kaipara District Council (the Council) appointed a Hearing Panel consisting of independent hearing commissioners - Mark Farnsworth (Chairperson), Michael Campbell and Jonathan Larsen. The Hearing Panel's function is to hear the application and submissions and make a recommendation on the application.
2. The hearing was convened at the Dargaville Lighthouse Museum on 27 March 2023 and adjourned for further information on 28 March 2023
3. The purpose of this Third Direction is to provide clear direction on the information required by the panel.
4. At the time the Applicant filed their application the *National Policy Statement for Highly Productive Land 2022 (NPS-HPL)* had not been given effect. The NPS-HPL was gazetted on Monday 19 September 2022 and was in effect from Monday 17 October 2022. The Applicant's underpinning RMA section 32 documents, in particular the Economic Impact Assessment<sup>1</sup> and the Market Demand Analysis<sup>2</sup> were prepared in December 2021.
5. There is no disagreement that parts of the site contain LUC2 and LUC3 units of the highly productive land. It is also common ground that these units can be rezoned to urban only if the requirements of Clause 3.6(4) and (5) of the NPS-HPL are satisfied. The NPS-HPL Clause 3.6(4) sets out the specific methodology for the assessment of the development capacity for residential and business land:
  - An assessment to be made of the residential and business development capacity required to be enabled for Dargaville;
  - The capacity that is already available;

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<sup>1</sup> Economic Impact Assessment – The Urban Advisory December 2021

<sup>2</sup> Market Demand Analysis – The Urban Advisory December 2021

- Other reasonably practicable and feasible options for providing the required development capacity and
  - For the applicant to demonstrate that the approval of this plan changes is required to meet capacity.
6. We direct the Applicant to provide the panel with information<sup>3</sup> that clearly addresses the criteria of NES-HPL Clause 3.6(4).
  7. The required information is to be provided to the Council's Hearing Administrator no later than **midday**, 28 April **2023** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day.
  8. Other parties to the hearing will be afforded a 14-day opportunity to respond to the information provided by the applicant. Responses are to be provided to the Council's Hearing Administrator no later than **midday**, 12 May **2023**, and will be placed on the Council's website no later than 5.00 pm the same day.
  9. The panel will then determine if there is a need to reconvene the hearing or just ask the applicant to provide a written closing reply.
  10. Any enquiries regarding these Directions or related matters should be directed to the Council's District Planner, Mr Paul Waanders by email at [pwaanders@kaipara.govt.nz](mailto:pwaanders@kaipara.govt.nz).



Mark C Farnsworth MNZM  
Chairperson

28 March 2023

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<sup>3</sup> In particular specific quantification which assess capacity within the existing urban area.