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



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1. SUPPLEMENTARY STATEMENT OF EVIDENCE

1.1 This statement of evidence has been prepared to supplement my pre-circulated statement of evidence dated 17 March 2023 on behalf of the Awakino Point Rate Payers Inc (APRP).

1.2 This supplementary evidence responds to planning evidence addendums from the applicant, in relation to:

- National Policy Statement for Freshwater Management 2020 (NPS FM).
- National Policy Statement for Highly Productive Land 2022 (NPS HPL)

1.3 Having considered these documents in relation to the additional information provided by the applicant I consider that PPC81 does not give effect to either of the national policy statements.

1.4 After carefully considering the additional information provided by the applicant I have not changed my opinion 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.

2. NATIONAL POLICY STATEMENT FOR FRESHWATER MANGEMENT (NPS-FM)

2.1 Further investigation of the wetlands on the site by the applicant have confirmed that they are natural inland wetlands in under the NPS-FM definitions.

2.2 As a result the applicant has extended the large lot residential area to the west to include the wetland areas.

2.3 The single Objective in the NPS-FM seeks to ensure that natural and physical resources are managed in a way that prioritises

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

- 2.4 Policy 6 of the NES -FM directs that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.
- 2.5 Under the NES – FM¹ vegetation clearance, earthworks and the discharge of water associated with urban development within 100m of a natural wetland will require resource consent.
- 2.6 I note that under the NES-FM resource consent must not be granted unless the consent authority has first satisfied itself that the urban development will provides significant nation, regional or district benefits², and that there are no practical alternative locations for the activity within the area of development.³
- 2.7 In my opinion the presence of the 6 wetland areas scattered throughout the proposed large lot residential area and the current wording of the NES-FM could create a situation where the land is zoned for development but is impossible to develop under the NES – FM regulations.
- 2.8 In my opinion PC81 does not give effect to the objective of the NPS-FM because zoning this area for residential development does not prioritise the health and wellbeing of the natural inland wetlands above the needs of people to provide for their health needs or their ability to provide for their social economic and cultural well being. The priorities have been reversed by PPC81.
- 2.9 Given the high number of wetlands and the potential implication of the NES-FM in this area, I have formed the opinion that an open space zoning would better give effect to the NPS-FM than the proposed rezoning for large lot residential development.

¹ Regulation 45C

² Regulation 45C(6)(a)(ii)

³ Regulation 45C(6)(b)

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

3.1 In response to Ms Anich's comments on the NPS-HPL, I have the following comments.

Objective 2.1

3.2 Ms Anich states that "The intent of ensuring highly productive land is available for land-based primary productive use will be honoured by PC81."⁴ The plan changes is required to give effect to the NES-HPL, not honour its intent. In my opinion zoning highly productive land for urban development does not protect it for use in land based primary production, both now and for future generations. I do not consider that PPC81 gives effect to this objective.

The Large Lot Residential Area

3.3 Ms Anich suggests that the large lot residential zone proposed is not a rural lifestyle zone, and therefore Policy 6 of the NPS-HPL is not relevant. In my view the proposed future development pattern created by provisions for lots with a minimum lot size of 4000m² does represent rural lifestyle development as contemplated by the NPS.

3.4 Future lots in this area will have a minimum of lot size of 4000m² (approximately 1 acre lots), and given the wetland setbacks required for urban development are likely to be significantly larger. These lots are on the periphery of the development and therefore will be adjoining the Rural Zone.

3.5 In comparison, in the Whangarei District Plan the Rural Lifestyle Zone also has a minimum allotment size of 4000m².

3.6 I consider the likely future development under the PPC81 Large Lot Residential Zone provisions will be akin to rural lifestyle development. The rezoning and development of highly productive land as rural lifestyle should be avoided in order to give effect to Policy 6 of the NPS-HPL.

Policy 5

3.7 Policy 5 is very clear and sets out that the rezoning of highly productive land for urban development must be avoided (except for in certain circumstances as provided under Clause

⁴ Page 29 of Ms Anich's Addendum Statement of Evidence

3.6(4). The information provided to me shows that approximately 10.31ha of the land proposed for is Highly Productive Land. I disagree with Ms Anich that the urban rezoning proposed under PPC81 meets the tests in clause 3.6(4) for the reasons set out below.

3.8 Policy 9

3.9 I disagree with Ms Anich that the reverse sensitivity issues are being appropriately managed by the proposed TDA provisions. In my opinion the development of sensitive activities (residential activities) on the Highly versatile soils on the site, and particularly on the periphery of the site has the potential to constrain land based primary production activities on the surrounding highly productive land.

3.10 I note that there is an existing working cow shed with associated effluent ponds located directly across Awakino Point North Rd from the proposed development. If the development on the site proceeds as planned sensitive activities will be enabled within 140m of the dairy shed⁵.

3.11 I continue to hold the view that the setbacks proposed by the applicant are inadequate to deal with reverse sensitivity issues, particularly associated with dust and odour.

3.12 In my view the approval of PPC81 would not give effect to Policy 9.

Clause 3.6(4)

3.13 Clause 3.6(4) of the NPS-HPL contains three conditions which must be met in order to allow urban rezoning of highly productive land. These conditions are set out below:

(4) Territorial authorities that are not Tier 1 or 2 may allow urban rezoning of highly

productive land only if:

(a) the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and

(b) there are no other reasonably practicable and feasible options for providing the

⁵ Including the 20m setback from Rural Zones

required development capacity; and

(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 for land-based primary production, taking into account

both tangible and intangible values.

- 3.14 At section 5.16 of my primary evidence I state that the conditions in 3.6(4) 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. I maintain this view.
- 3.15 I disagree with Ms Anich that there is a severe housing shortage in Dargaville. I have reviewed the Trademe real estate listings on 27 March 2023. The search returned 77 listings for existing houses or units, 11 of which had an asking price of \$400,000 or less.
- 3.16 In my opinion this does not demonstrate that there is a severe lack of housing supply, or an affordability crisis, when compared with other parts of the country. I do however acknowledge that more housing capacity will be required in the future for Dargaville's housing market to develop and operate efficiently.
- 3.17 I also disagree with Ms Anich's assessment that there are no other reasonably practicable and feasible options for providing the required development capacity for the predicted growth in Dargaville.
- 3.18 The Dargaville Spatial Plan identifies land suitable to provide the following areas for medium density residential development.
- Outer Dargaville = 173ha (creating approximately 1384-2768 lots)
 - Awakino River Block = 50ha (creating approximately 400-800 lots)
 - South Dargaville = 26ha (creating approximately 208-416 lots)
- 3.19 The Dargaville Spatial Plan identifies land suitable to provide the following areas for high density residential development.

- Outer Dargaville = 49ha (creating approximately 653-1306 lots)
- Onslow Ranfurly Neighbourhood = 9ha (creating approximately 120-240 lots)

3.20 The Dargaville Spatial Plan also recommends reviewing zoning provisions for existing residential zoned land to allow for medium to high density residential development, and providing for mixed use development in the Dargaville Town Centre. The Spatial Plan predicts that this could provide for over 7000 additional lots to be developed over time.

3.21 The Dargaville Spatial Plan was advanced based on research, site visits and community consultation. It is my opinion that the Spatial Plan demonstrates that there are a number of reasonably practicable and feasible options for providing development capacity in Dargaville. In many cases I consider that the identified areas in the Spatial Plan are more suitable for development than the racecourse site.

3.22 In summary I consider that PPC81 does not meet the conditions required in 3.6(4) and therefore the rezoning of highly productive land on the site cannot give effect to Policy 5 of the NPS-HPL.

4. CONCLUSION

4.1 In my opinion PPC81 does not give effect to the NPS-FM, or the NPS-HPL.

4.2 Having considered the information above, 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.

4.3 I therefore stand by my original recommendation that the application should be declined.



Evan James Cook

27th March 2023