



Private Plan Change Request

Rezone Awakino Road Residential Zone.

Awakino Road, Dargaville

Assessment of Effects and Section 32 Evaluation Report

8 June 2022

B&A

Urban & Environmental

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Moonlight Heights Limited

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Abbreviations

List of Abbreviations used in this Report

Integrated Transport Assessment	ITA
Iwi and Hapū Environmental Management Plans	IMP / HEMP
Moonlight Heights Limited	MHL
National Environmental Standards	NES
National Planning Standards	NP Standards
National Policy Statement on Urban Development	NPS-UD
Northland Regional Policy Statement	RPS
Northland Regional Plan (Appeals Version)	PRP
Operative Kaipara District Plan	KDP
Resource Management Act 1991	RMA
Section 32 of the RMA	S32
Kaipara District Council	KDC

The Applicant and Property Details

To	Kaipara District Council
Attention	Michael Day
Applicant's Name	Moonlight Heights Limited
Address for Service	Barker & Associates Ltd PO Box 37 Whangarei 0140 Attention: Melissa McGrath Email: melissam@barker.co.nz
Legal Description	Various - Refer to Records of Title as Appendix 1
Plan Change Area	39.2 hectares
District Plan Zoning	Residential Zone
Brief Description of Proposal	Private Plan Change request to rezone 39.2 hectares of land at Awakino Road, Dargaville to Residential Zone with a precinct to protect ecological features, promote high quality urban design, provide open space and connectivity.

1.0 Executive Summary

Moonlight Heights Limited are applying for a Private Plan Change (**the plan change**) to the Kaipara District Plan (**KDP**) to rezone and modify planning provisions on 39.2 hectares of land at Awakino Road, Dargaville. The purpose of the plan change is to rezone the location to a Residential Zone. The key features of the plan change are:

- Rezone 39.2ha of land at Awakino Road, Dargaville from Rural Zone to Residential Zone, including consequential amendments to the KDP Maps;
- The creation of a Awakino Precinct over top of the Residentially Zoned land with core provisions that to protect ecological features, promote high quality urban design, provide open space and connectivity; and
- Any necessary consequential amendments to the KDP provisions.

Pre application meetings have been held with Council staff prior to the lodgement of the plan change. Consultation has also been undertaken with a number of stakeholders including mana whenua and other landowners within area. Feedback from Council and stakeholders have informed the development of the approach and provisions of the plan change.

This report details the comprehensive evaluation in accordance with section 32 of the Resource Management Act 1991 (**RMA**) that has been undertaken to confirm the appropriateness of the plan change. The proposed provisions have been detailed and compared against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of section 32.

Overall, it is considered that the proposed provisions represent the most efficient and effective means of achieving the sustainable management purpose of the RMA, objectives of other higher order planning documents and the relevant objectives of the KDP.

2.0 Introduction

2.1 Background

Moonlight Heights Limited (**MHL**) is a major landowner of land currently zoned as Rural Zone within the operative Kaipara District Plan (**KDP**). MHL is led by a prominent local family who are passionate about providing high quality residential housing within Dargaville.

MHL envisages that the proposed plan change will provide viable and sustainable residential development which integrates with surrounding residential uses and provides much needed residential housing capacity within Dargaville.

The land subject to this application is identified on the plan change plan provided in support of the plan change (**See Appendix 2**), **Figure 1** identifies the proposed plan change area below.



Figure 1: Proposed plan change area and Residential Zoning plan.

2.2 Pre-application meetings

Two pre-application meetings were held with KDC staff. At the first pre-application meeting on 19 November 2021, the concept of the plan change was generally discussed with Council Policy Staff. This included a discussion regarding the status quo of the KDP and the potential zoning under the impending draft District Plan.

A second pre-application meeting was held on 11 April 2022 with Council Infrastructure Staff, the capacity of Council reticulated services was discussed.

These discussions have informed the final provisions and details of the private plan change application as lodged.

3.0 Plan Change Area Location and Description

3.1 Plan Change Area Description

The area for the plan change comprises 39.2 hectares of land located at Awakino Road, Dargaville approximately 2km north east of the CBD of Dargaville. See Figure 2 below.

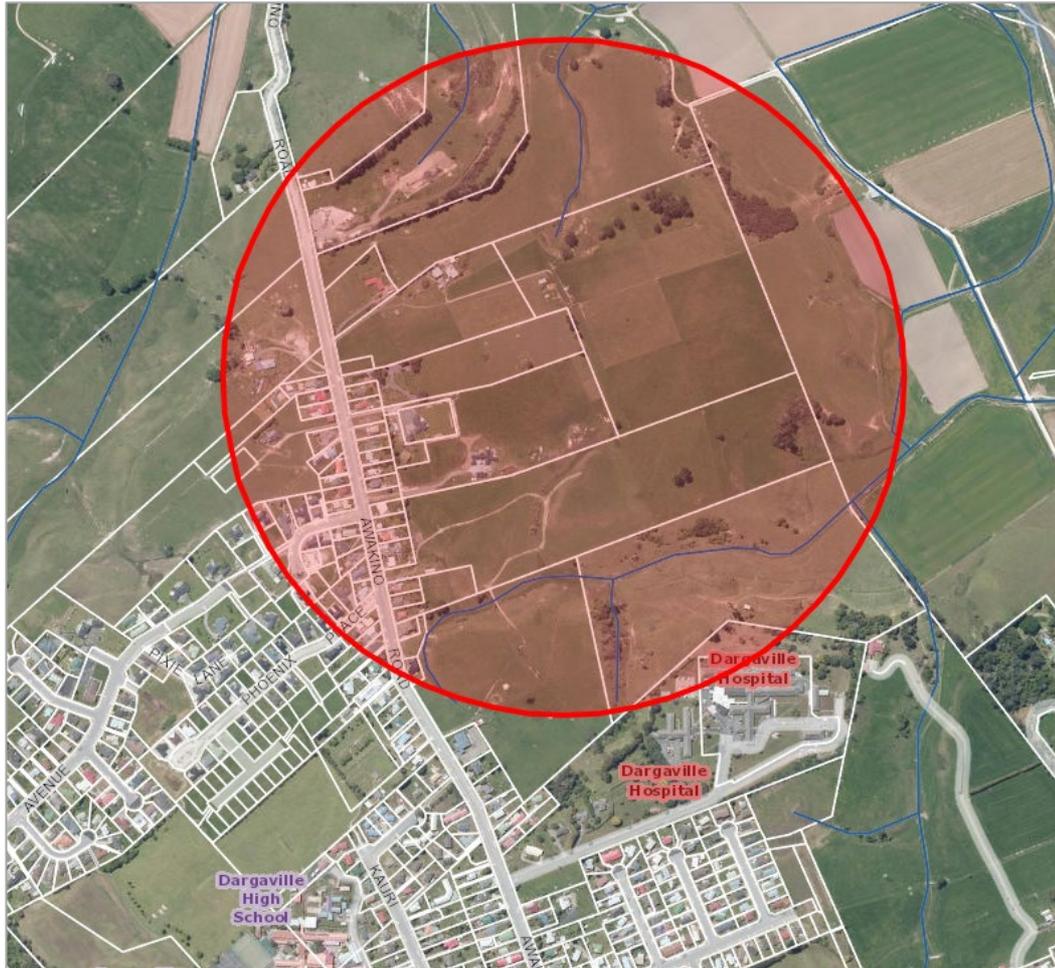


Figure 2: Aerial photograph of plan change area (Source: Emaps).

The plan change area is located towards the northern end of the existing residential zoning along the eastern edge of Awakino Road, wrapping around existing residential allotments. The KDC transfer station forms the northern boundary of the plan change area. The majority of the area comprises of flat topography, dropping steeply along the southern and eastern edges to wetlands. Awakino Road and existing Residential Zoning forms the western boundary of the plan change area. Residential dwellings are located within the smaller allotments to be rezoned, while existing built development on the larger portions of the plan change area is comprised of several existing dwellings and ancillary sheds.

Numerous smaller allotments have been included in the area, which have existing vehicle crossings with Awakino Road, access to the larger vacant portions of the area is obtained via existing access points from Awakino Road. Awakino Road is a two-lane road which runs in a north-south direction from Victoria Street in the south and ends and terminates in the north, some 1.4 kilometres north of Paritai Place. South of the Dargaville Hospital access, Awakino Road is classified as a Secondary Collector Road and north of the Dargaville Hospital access, is an access road. Near the subject site, Awakino Road has a carriageway width of some 7.0 metres, providing one traffic lane in each direction and on-street parking on both sides. It has a speed limit of 50 km/h. A footpath is provided on the western side of the street, terminating 215 metres north of Paritai Place.

The plan change area has been largely modified by Māori and European settlement. The majority of the area contains exotic grassland, primarily dominated by kikuyu. Small, scattered remnant patches of native kanuka, towai and mixed native treeland can be found along the north-eastern and south-eastern borders of the area. Multiple indicative wetland areas, and exotic pine stands running through the southern and central aspects, with numerous artificial drainage channels (both relict and active) run throughout the area.



Figure 3: Terrestrial and aquatic habitats within the proposed Awakino Precinct (Source: Rural Design, Ecological Assessment).

3.2 Surrounding Locality

The plan change area is located approximately 2km north east of the Dargaville CBD on the north eastern edge of Dargaville. Immediately to the west and south of the area is predominantly residential in nature being dominated by residential dwellings, Dargaville Hospital, community park and swimming pool. The surrounds immediately to the north and east are predominantly rural in nature dominated by large rural holdings.

Selwyn Park Primary school is located 500m walking distance south of the plan change area, while Dargaville High School is 1.4km to the west.

Dargaville CBD is situated approximately 2km to the south west of the plan change area, providing convenience-based retail services. Including the warehouse, supermarket, medical centre and pharmacy, as well as financial, real estate and food and beverage services.

With regards to the surrounding roading network, Awakino Road is a sealed local road and extends south of the plan change area to intersect with SH12, which in turn provides the east west link between Dargaville and Whangarei.

4.0 Planning Context

4.1 Operative Kaipara District Plan

The plan change area is zoned Rural Zone in the KDP. See **Figure 3** below. Land to the east and south are zoned Residential Zone, and Rural Zone to the west and north. Designation 34 (Refuse Disposal Purposes (Dargaville Landfill)) is located to the north, zoned Residential Zone.

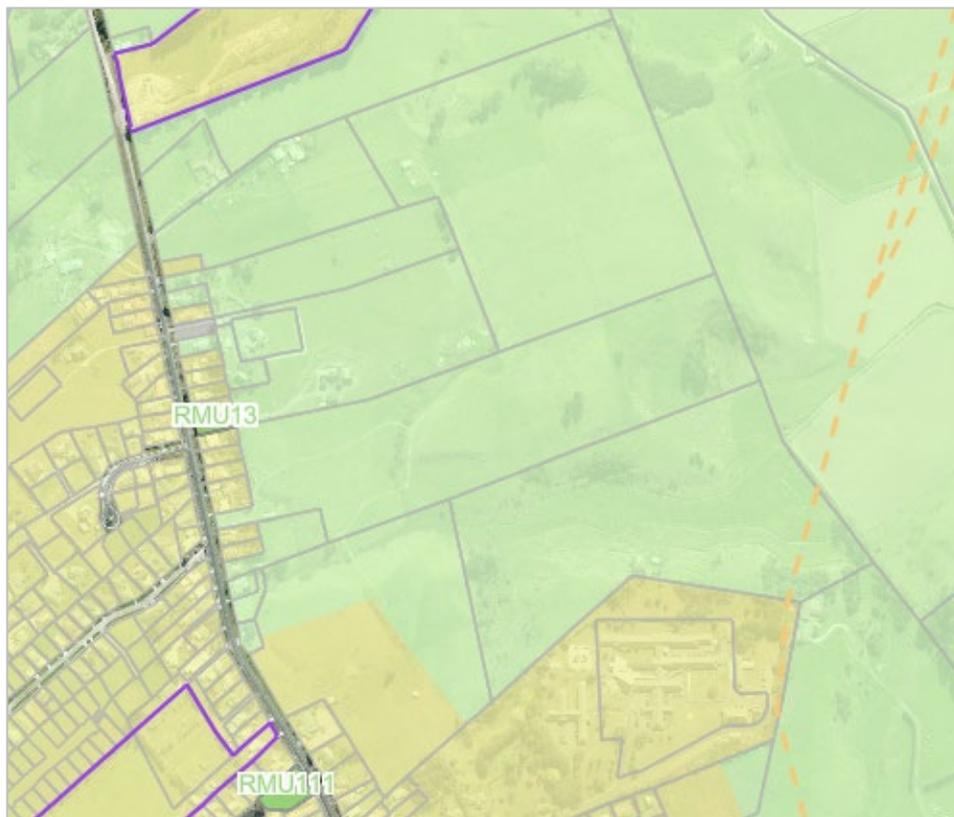


Figure 4: KDP Zone Map (Source: KDC Website – KDP Eplan).

4.2 Regional Policy Statement and Proposed Regional Plan

The plan change area does not contain any Outstanding Natural Landscapes or Features, High or Outstanding Natural Character, nor is it located within the Coastal Environment as identified within the Regional Policy Statement for Northland (**RPS**). Further, the area does not contain any Heritage

Features, Sites of Cultural Significance to Māori and is not located within any Statutory Acknowledgement areas.

There is a mosaic of Land Use Classes (LUC) extending over the plan change area (**Figure 4**). Along the western aspect, the area is predominantly covered by LUC 4 land, which has moderate suitability for occasional cropping, pasture or forestry land. LUC 3 has been identified along the eastern fringe boundary and is land with moderate arable cropping suitability, and moderate pastoral grazing suitability. The interface between the eastern and western aspects is dominated by LUC 6 land and is not suitable for arable use, and is more well suited for low production pastureland, forestry land, or in some cases vineyards. Lastly, the southwestern corner of the plan change area has been classified as ‘town’ land.

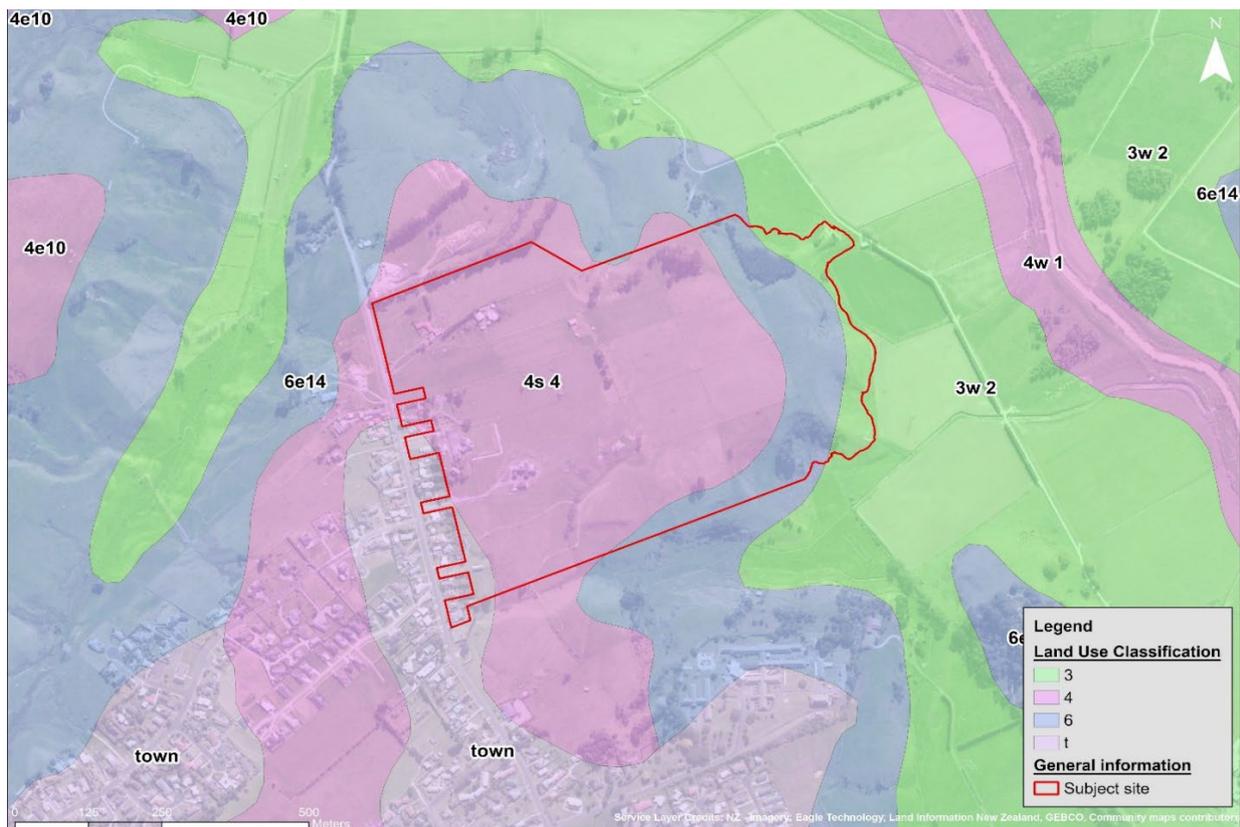


Figure 5: Map showing land use capability (Source: NZLRI).

With regards to the Proposed Regional Plan (PRP), the plan change area is subject to a number of resource overlays, including:

- Dargaville Airshed;
- River Water Quantity Management Units: Small river;
- KDC Drainage Catchment; and
- Lowland and Hill Country area.

An assessment of these resource features with regards to the plan change is provided within section 7 of this report below.

5.0 Description of the Plan Change Request

5.1 Description of the Proposal

The plan change seeks to rezone the plan change area residential zone and introduce a precinct that will apply across the plan change area.

It is proposed to apply a precinct, the Awakino Precinct to the plan change area with a suite of objectives, policies, and rules that will guide development, provisions are detailed in **Appendix 8**.

5.1.1 Relationship with KDC Draft Plan

The plan change seeks to apply the operative KDP Residential Zone with a Precinct. It is recognised Council is preparing to release its Draft District Plan. However, the Draft District Plan has no legal weight, and while it is recognised that Council is planning to progress to a Proposed District Plan, there is no guarantee of this being adopted for formal notification.

The plan change has been proposed to blend into the operative KDP, recognising that the precinct will be accommodated into any future Proposed District Plan.

5.2 Purpose and Reasons for the Plan Change

Clause 22(1) of the RMA requires that a plan change request explains the purpose of, and reasons for the proposed plan change.

The purpose of the plan change is to deliver viable and sustainable residential zoning. The plan change also seeks to apply a precinct to the plan change area to provide for future residential intensification.

The reason for this plan change is that the Applicant, who is a major landowner of the plan change area, intends to develop the area in a manner consistent with the proposed land use pattern. Technical assessments, have demonstrated that the current rural zoning is not the most appropriate zoning of the area.

This report provides an assessment of effects of the plan change and an evaluation of the plan change prepared in accordance with Section 32 (**S32**) of the RMA. Supporting expert assessment reports are appended to the report. The evaluation of plan change concludes that these amendments are the most appropriate way to achieve the purpose of the RMA.

Wherever possible, consistency with the structure of the KDP under the National Planning Standards (**NP Standards**) is incorporated.

5.3 Accepting the Plan Change Request (Clause 25)

The Council has discretion to accept or reject a plan change request in accordance with Clause 25 of Schedule 1 of the RMA, subject to the matters set out in Clause 25(4)(a)-(e). Given that the KDP has now been operative for more than two years, the Council is able to reject the plan change request only on the following grounds:

- The plan change request is frivolous or vexatious (clause 25(4)(a));
- The plan change request is not in accordance with sound resource management practice (clause 25(4)(c));

- The plan change request would make the plan inconsistent with Part 5 - Standards, Policy Statements and Plans (clause 25(4)(d)).

In relation to (a), considerable technical analysis has been undertaken to inform the plan change, which is detailed in the report below. For this reason, the proposal cannot be described as frivolous or vexatious.

‘Sound resource management practice’ is not a defined term under the RMA, however, previous case law suggests that the timing and substance of the plan change are relevant considerations. This requires detailed and nuanced analysis of the proposal that recognises the context of the plan change area and its specific planning issues.

In this context, the plan change is considered to be in accordance with sound resource management practice as it is consistent with the strategic outcomes sought in Dargaville Spatial Plan May 2020 (**DSP**). It is also consistent with the higher order policy framework of the KDP.

The proposed zoning and precinct provisions seek to enable residential development whilst protecting ecological features and providing for open spaces and connectivity. Furthermore, all necessary statutory requirements have been met, including an evaluation in accordance with S32 of the RMA with supporting evidence.

In relation to (c), the plan change is considered to be consistent with the sustainable management purpose of the RMA as detailed throughout this report.

On this basis, the merits of the proposal should be allowed to be considered through the standard Schedule 1 process.

6.0 Policy Framework

6.1 National policy documents

The following national policy documents prepared under the RMA are considered relevant to this application:

- National Policy Statement – Urban Development; and
- National Policy Statement for Freshwater Management

6.1.1 Proposed National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (**NPS-UD**) recognises the national significance of:

- Having **well-functioning urban environments** that enable all **people and communities** to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
- Providing sufficient development capacity to meet the **different needs of people and communities**.

This is about ensuring New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It removes overly restrictive barriers to

development to allow growth ‘up’ and ‘out’ in locations that have good access to existing services, public transport networks and infrastructure.

The NPS-UD is specifically designed to improve the responsiveness and competitiveness of land and development markets. In particular, it requires local authorities to open up more development capacity, so more homes can be built in response to demand. The NPS-UD provides direction to make sure capacity is provided in accessible places, helping New Zealanders build homes in the places they want – close to jobs, community services, public transport, and other amenities our communities enjoy.

The NPS-UD applies to all local authorities that have all or part of an “urban environment” within their district and applies to planning decisions by any local authority that affect an “urban environment.” The NPS-UD does not specifically list Tier 3 local authorities, relying upon the definition of urban environment¹ to determine whether or not the NPS-UD applies. Parts of Kaipara District fall within the definition of urban environment (Mangawhai²) however it is not considered that Dargaville falls within this definition due to its current and projected populations.

For completeness, the NPS-UD objectives, policies and outcomes relevant to Tier 3 local authority include:

- **Objective 1 and Policy 1** – New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. Planning decisions need to directly contribute to delivering this concept of well-functioning urban environments, which at a minimum, have or enable a variety of homes that: (i) meet the needs, in terms of type, price, and location, of different households; (ii) have or enable a variety of sites that are suitable for different business sections; (iii) **have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.**
- **Objective 3 and Policy 5** – Regional policy statements and district plans apply to urban environments, heights and density of urban form **which is commensurate to the level of accessibility by existing or planned active or public transport to a range of commercial and community services, or relative demand for housing and business use in the location.**

Table 1: NPS-UD Policy Assessment

NPS-UD Policy	Comment
<i>Policy 1: Planning decisions contribute to well-functioning urban environments, which are</i>	The plan change provides for a variety of residential densities, located in proximity to

¹ Urban environment - means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.

² See Paragraph 57 of the Commissioners Recommendation Report, dated 12 March 2021, available at this link: <https://pub-kaipara.escribemeetings.com/filestream.ashx?DocumentId=3434>.

PC78 is currently subject to Environment Court of Appeals, none of which directly relate to the Commissioners’ decision on the applicability of the NPS-UD to Mangawhai.

<p><i>urban environments that, as a minimum: have or enable a variety of homes that: (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change.</i></p>	<p>existing community facilities and the central business area of Dargaville. The plan change will enable the integration with the existing residential built environment to the south and west, and be strategically connected through road access from Awakino Road, and pedestrian and cycleway connections creating accessibility for residents.</p> <p>The proposed precinct provisions will ensure provision of a centralised open recreation space, and the plan change area is located within walking distance of public recreation reserves and other amenities.</p> <p>The proposal has been prepared giving careful consideration to climate change and in particular, supporting the transition towards zero carbon communities. The Land Development Report (Appendix 3) in particular has considered stormwater with respect to risk of increased downstream flooding and climate change, recommending a low impact approach to stormwater management.</p> <p>The plan change will enable the ability to establish a range of housing typologies with significant opportunities to incorporate sustainable design measures to support climate resilience, for example water efficiency measures that promote water reuse and smart attenuation and energy efficiencies through positive solar access (via proposed layout of the future residential development).</p>
<p><i>Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</i></p>	<p>The plan change will provide capacity for residential development, contributing to the residential development capacity of Dargaville to meet housing demand.</p>
<p><i>Policy 5: Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater</i></p>	<p>The plan change will enable heights and density of residential development appropriate to meet the demand for development within Dargaville, recognising</p>

<p><i>of: the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or relative demand for housing and business use in that location.</i></p>	<p>the limited public transport but close proximity to commercial activities and community services from the plan change area.</p>
<p><i>Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement; (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and (ii) are not, of themselves, an adverse effect; (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1); (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity; (e) the likely current and future effects of climate change.</i></p>	<p>It is considered that this plan change will be consistent with the planned urban built form anticipated for Dargaville giving effect to the DSP.</p> <p>The plan change is supported by an Urban Design Statement which has considered the suitability the area for residential zoning, and recommended particular outcomes to ensure a well-functioning urban environment is created.</p> <p>As detailed further in this assessment the plan change will enable the creation of a well-functioning urban environment.</p>
<p><i>Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environments, even if the development capacity is: unanticipated by RMA planning documents; or out-of-sequence with planned land release.</i></p>	<p>It is acknowledged that this plan change application seeks to bring forward residential zoning ahead of Council's Draft District Plan, however the residential zoning is anticipated in the DSP. It is considered that this plan change application will add significant residential development capacity to Dargaville as such Council should be responsive.</p>
<p><i>Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must: involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective</i></p>	<p>Preliminary consultation has been undertaken with hapū, who have advised that once the application is lodged, they will review and provide relevant input and feedback through the process. The applicant has considered all relevant hapū</p>

<p><i>consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and operate in a way that is consistent with iwi participation legislation.</i></p>	<p>management plans, statutory acknowledgements within this assessment. It is considered that this plan change application has taken into account the principles of the Treaty of Waitangi.</p>
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6.1.2 National Policy Statement for Freshwater Management

The fundamental concept of the National Policy Statement for Freshwater Management (NPS-FM) is “Te Mana o te Wai” the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community. The only objective of the NPS-FM is:

2.1 Objective

(1) The objective of this National Policy Statement is 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.

Policies of the NPS-FM focuses upon the management of freshwater in an integrated way to ensure that the health and well-being of water bodies and freshwater ecosystems is maintained and improved.

The plan change area contains a number of wetlands, intermittent and permanent streams located along the southern and eastern boundary of the proposed Residential Zone as confirmed by the Ecological Assessment prepared by Rural Design Limited (**Appendix 6**). Therefore, policies 3 and 6 are considered to be particularly relevant to the plan change.

To give effect to the NPS-FW, objective 1, policies 3 and 4, and rules 13.10.7 Seatbacks and 13.13A Subdivision have been included within the proposed Awakino Precinct to provide integrated management of future development within the proposed Residential Zone to ensure that the wetlands are protected and enhanced. Rural Design Limited have confirmed that the proposed precinct provisions are sufficient and appropriate to give effect to the NPS-FW.

For these reasons, it is considered that the plan change is consistent with the relevant NPS-FM policies and achieves objective 1.

6.2 National Planning Standards

The National Planning Standards (**NP Standards**) came into effect on 5 April 2019. These are established under s58B – J of the RMA. The purpose of the NP Standards is to improve consistency in plan and policy statement structure, format and content throughout the country. These codify the structure, mapping, definitions and noise/vibration metrics of District, Regional and Unitary Plans.

The KDP was not prepared under the NP Standards; however, it is acknowledged that the Council has prepared a Draft District Plan seeking to implement the NP Standards.

The plan change has been prepared to be consistent with the operative KDP, whilst being able to merge with the Eplan format of the draft District Plan and potential future proposed District Plan.

Mandatory direction 12 of the NP Standards specify when a type of spatial layer should be utilised, options have been considered further in s32 evaluation refer to **Appendix 10**. It is considered that a precinct is the most appropriate spatial layer to utilise as it will apply additional place-based provisions which refine urban design, connectivity, protection of ecological features and open space within the plan change area.

In accordance with mandatory direction 8 of the NP Standards, it is considered that a Special Purpose Zone is not appropriate for this private plan change as the proposed land use activities and anticipated outcomes do not meet the specified criteria:

- Mandatory direction 8.3a. *Significant to the district, region or country:*

The proposed private plan change will provide additional residential capacity within Dargaville, however, the rezoning is not considered to be of a scale that is significant to the district, region or country. The proposed Awakino Precinct introduces a high level of urban design and connectivity, and protection of ecological features beyond that of the KDP Residential Zone and as recommended by the Urban Design and Ecological Assessments, however, these provisions are not considered to be significant to the district, region or country.

- Mandatory direction 8.3b. *are impractical to be managed through another zone:*

The proposed private plan change seeks to rezone the plan change area for residential development whilst creating a high level of urban design, connectivity and protection of ecological features and open space. Whilst these outcomes go beyond that of the operative KDP residential zone, there is not an equivalent zone available within the KDP and is impractical to be achieved via another zone given the status of the intent of Council to release a Draft District Plan.

- Mandatory direction 8.3c. *are impractical to be managed through a combination of spatial layers:*

The proposed private plan change seeks to rezone the plan change area for residential development whilst creating a high level of urban design, connectivity and protection of open space, it is practical to manage this via the KDP residential zone and proposed Awakino Precinct.

The plan change recommends consequential amendments to the provisions of the KDP to reflect an efficient and user-friendly set of provisions, and the insertion of a bespoke Awakino Precinct with provisions that are consistent with the KDP structure.

It is acknowledged that the NP standards require implementation of mandatory district plan structure and standard definitions, however, this plan change does not propose to implement NP

standards definitions to ensure consistency with the KDP, avoiding complicated dual definitions applying to the proposed Precinct.

Overall, it is considered that the proposed private plan change provisions appropriately take into account and are consistent with the gazetted NP Standards.

6.3 National Environmental Standards

National Environmental Standards (**NES**) are regulations issued under the RMA. They prescribe technical standards, methods and other requirements for environmental matters. Section 44A of the RMA requires local authorities to recognise NES and Section 44A requires local authorities give effect to the NES in their plans. There are currently nine National Environmental Standards:

- National Environmental Standards for Air Quality;
- National Environmental Standards for Sources of Human Drinking Water;
- National Environmental Standards for Telecommunication Facilities;
- National Environmental Standards for Electricity Transmission Activities;
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health;
- National Environmental Standards for Plantation Forestry;
- National Environmental Standards for Fresh Water;
- National Environmental Standards for Marine Aquaculture; and
- National Environmental Standards for Storing Tyres Outdoors.

In accordance with Section 74 of the RMA, the plan change has been prepared in accordance with the relevant national environmental standards and will not result in any conflict with the provisions of the standards.

7.0 Regional Policy Statement and Plans

7.1 Northland Regional Policy Statement

The Northland Regional Policy Statement (**RPS**) provides broad direction for managing Northland's natural and physical resources. The policies and methods contained in the RPS provide guidance for territorial authorities for plan making.

As stated within section 4 of this report, the area for the plan change is void of any landscape or coastal overlays and natural hazards under the RPS. In addition, the plan change area is not located within any statutory acknowledgement areas. This aside, of particular relevance to the proposed plan change, are the provisions of the RPS pertaining to economic wellbeing, regional form, tangata whenua participation in resource management and water quality.³

³ Objectives: 3.2 Region-wide water quality, 3.5 – Enabling economic wellbeing, 3.6 – Economic activities - reverse sensitivity and sterilization, 3.7 – Regionally significant infrastructure, 3.8 – Efficient and effective infrastructure, 3.11 – Regional form, and 3.12 – Tangata whenua role in decision-making.

Economic Wellbeing

The RPS seeks to sustainably manage Northland's natural and physical resources in a way that is attractive for businesses and investment that will improve the economic wellbeing of Northland and its communities. The plan change seeks to rezone the plan change area from Rural to Residential Zone increasing the residential development opportunities within Dargaville, which intern will enable population growth to improve the economic wellbeing of the Kaipara District, Northland and its communities.

Regional Form

The RPS requires subdivision, use and development to be located, designed and built in a planned and coordinated manner, as well as being well-integrated with transport and three waters infrastructure. The plan change has been designed in accordance with these provisions as follows:

- The plan change has been designed in accordance with the Regional Urban Design Guidelines, particularly with regards to encouraging quality urban design within urban environments. The provisions of the plan change encourage future development to recognise and respond to the unique context and cultural identity of the locality, while offering a choice in urban lifestyle, and a range of housing options for residents;
- The plan change area is not located within high classed soils. As such, the plan change does not further materially reduce the potential for soil-based primary production on land containing highly versatile soils;
- The plan change area is bounded on three sides by residential zoning, and topography accompanied with proposed setback provisions will ensure reverse sensitivity is appropriately managed on major transport corridors and adjoining land uses; and
- Changes in sense of place and character are consistent with DSP and the Residential Zone of the KDP.

Overall, the proposal represents an efficient use of resources and will result in a consolidated, high-quality urban centre that is well serviced by existing infrastructure.

Tangata Whenua Participation

MHL recognises the role of Te Roroa as kaitiaki within the Dargaville area and accordingly, has had pre-liminary discussions with Snow Tane of Te Roroa on 19 April 2021. Noting the early stages of the preparation of the application, these discussions were to provide a heads up of the proposal, with the intention of further consultation being carried out as the application progresses through the RMA process. While these initial high-level discussions did not raise significant concerns or issues, it is noted that Te Roroa have indicated that they will provide further inputs during the plan change process if deemed necessary.

Water Quality

The RPS seeks to improve the overall quality of Northland's water resources by, establishing freshwater objectives, reducing loads of sediment, nutrients and faecal matter to water and promoting and supporting the active management, enhancement and creation of vegetated

Policies: 4.2.1 Improving overall water quality, 5.1.1 – Planned and coordinated development, 5.1.3 – Avoiding the adverse effects of new use(s) and development, 5.2.1 – Managing the use of resources, 5.2.2 – Future-proofing infrastructure, 6.1.1 – Regional and district plans, 8.1.1 – Tangata whenua participation 8.1.2 – The regional and district council statutory responsibilities.

riparian margins and wetlands. The plan change area contains a number of wetlands, intermittent and permanent streams located along the southern and eastern boundary of the proposed Residential Zone as confirmed by the Ecological Assessment (**Appendix 6**).

The importance of these natural features have been recognised and the proposed Precinct includes objective 1, policies 3 and 4, and rules 13.10.7 Seatbacks and 13.13A Subdivision which will ensure integrated management of future development within the proposed Residential Zone to ensure that the wetlands and streams are protected and enhanced as an integrated network.

RPS Summary

Overall, the private plan change has been developed with a view of striking an appropriate balance between providing for the efficient residential development of Dargaville, whilst ensuring that adverse effects are managed to an acceptable level. The plan change is therefore considered to be consistent with the provisions of the RPS.

7.2 Regional Plans

There are a number of operative Regional Plans for Northland that have been developed under the RMA. These include the Regional Water and Soil Plan, Air Quality Plan and the Coastal Plan. The Proposed Northland Regional Plan (**PRP**) combines the operative Regional Plans applying to the coastal marine area, land and water and air, into one combined plan. It is considered that the proposed provisions of the private plan change are generally consistent with the PRP.

As stated within section 4 of this report, the plan change area is subject to a limited number of regional plan resource mapping overlays, of which largely relate to the impacts of land use activities on water and air quality (such as stock care, mass land disturbance, discharges etc.). Given the area is proposed to accommodate urban development, these overlays will have little to no impact on the plan change. The provisions of the PRP will be addressed at the time of development if and when required.

7.3 Kaipara District Plan (Operative 2013)

The KDP has a number of policy chapters which detail the outcomes expected for the Kaipara District. Relevant objectives and policies are discussed below, noting that the proposed provisions have been considered in accordance with section 32, in section 9 of this report:

Chapter 2 District Wide Resource Management Issues

District wide resource management issues objectives and policies seek in summary to:

- (a) to maintain and enhance opportunities for sustainable resource use, to enable economic development and growth;
- (b) to recognise the importance of providing for the relationship of Māori, including their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga;
- (c) to recognise and enhance the amenity of character of the District;
- (d) to protect and enhance historic heritage, ecological and landscape values;
- (e) to provide guidance on areas for long term growth and land use change while recognising the limited resources of Council;
- (f) take a precautionary approach to natural hazards.

It is considered that the plan change will be consistent with these objectives and policies, seeking to provide for residential development within a location that is or is planned to be serviced by reticulated services, adjacent to existing Residential Zone of Dargaville, without significant areas of historic heritage or landscape, free of natural hazards, and which appropriate protection of ecological natural features via proposed precinct provisions is achieved.

Chapter 3 Land Use and Development Strategy

Chapter 3 provides objectives and policies for Council to respond to growth and economic development opportunities. Chapter 3 specifically notes that Council will consider how a private plan change proposal contributes the objectives and policies of this Chapter including, where relevant, the Structure Plan outcomes contained in Appendix 3.1 to Chapter 3.

Each of the relevant objectives and policies are evaluated as follows:

Table 2: KDP Chapter 3 Land Use and Development Strategy – Objectives Assessment

KDP – Chapter 3 Objective	Comment
<p><i>3.4.1 To encourage and establish an effective and sustainable supply of residential and business land to meet the current and future demands of the Kaipara District and enable the community to provide for their social and economic well-being.</i></p>	<p>The plan change will provide capacity for residential development, contributing to the ability of Dargaville to meet housing demand.</p> <p>The plan change provides for a variety of residential densities, located in proximity to existing community facilities and the central business area of Dargaville. The proposed precinct provisions enable the integration with the existing residential built environment to the south and west, and will ensure future development is strategically connected through road access from Awakino Road, and pedestrian and cycleway connections creating accessibility for residents.</p>
<p><i>3.4.2 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.</i></p>	<p>It is considered that the plan change will not result:</p> <ul style="list-style-type: none"> a. in ad hoc expansion of residential activities in the rural heartland; and b. in adverse effects on sensitive receiving environments.
<p><i>3.4.3 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.</i></p>	<p>The plan change seeks to rezone an area of rurally zoned land east of Awakino Road, directly adjacent to existing residentially zoned land.</p>

	<p>The plan change will be consistent with the planned urban built form anticipated for Dargaville giving effect to the DSP.</p> <p>The topography of the plan change area combined with proposed precinct provisions (specifically Policy 1 and Rule 13.10.7) will ensure that future residential development will not result in reverse sensitivity effects on the rural land to the east.</p>
<p><i>3.4.4 To ensure emissions, discharges and effects of residential and business development are managed so that adverse effects on the surrounding environment, including existing settlement areas, are comprehensively addressed.</i></p>	<p>The potential adverse effects of the proposed rezoning have been assessed within this report and supporting technical assessments. It is considered that this application and proposed precinct provisions have comprehensively addressed potential adverse effects.</p>
<p><i>3.4.5 To provide appropriate infrastructure and servicing in advance of or alongside future residential and business development.</i></p>	<p>The Land Development Report has comprehensively assessed the potential infrastructure and servicing demand from the proposed residential zone and future development. This concludes that appropriate infrastructure can be provided at the time of development.</p>
<p><i>3.4.6 To provide clear direction on the information, planning and management requirements considered to be required to enable future changes in land use within the identified development areas.</i></p>	<p>It is considered that this application and proposed precinct provisions have comprehensively addressed plan change requirements.</p>
<p><i>3.4.7 To minimise potential conflicts between natural and physical limitations, including hazards and future residential and business areas.</i></p>	<p>The potential natural and physical limitations of the plan change area have been considered and addressed via proposed precinct provisions as necessary.</p>

The following policies are considered to be relevant:

Table 3: KDP Chapter 3 Land Use and Development Strategy – Policies Assessment

KDP Chapter 3 Policy	Comment
<p><i>3.5.1 By providing for clear direction and certainty for a range of residential and</i></p>	<p>It is considered that the plan change is in accordance with the KDP direction for residential land use activities.</p>

<p><i>business land use activities throughout the Kaipara District.</i></p>	<p>The plan change will be consistent with the planned urban built form anticipated for Dargaville giving effect to the DSP.</p> <p>The proposed provisions are consistent with the KDP residential zone, seeking to implement area specific outcomes to ensure connectivity, high level of urban design and protection of ecological features.</p>
<p><i>3.5.2 By establishing standards for minimum site sizes, for each Zone in the District</i></p>	<p>The plan change seeks to establish minimum allotment sizes that are considered to be appropriate to enable a range of residential activities. Appropriateness is evaluated further in section 9.</p>
<p><i>3.5.3 By providing for a diverse range of residential and business opportunities in appropriate locations that enable their effects to be effectively managed.</i></p>	<p>The plan change provides for a variety of residential densities, located in proximity to existing community facilities and the central business area of Dargaville.</p> <p>The plan change will be consistent with the planned urban built form anticipated for Dargaville giving effect to the DSP.</p> <p>The proposed provisions are consistent with the KDP Residential Zone, seeking to implement area specific outcomes to ensure connectivity, high level of urban design and protection of ecological features and manage effects of future residential development.</p>
<p><i>3.5.4 By establishing a Land Use and Development Strategy, including nominated future Growth Areas, which ensures protection of natural character and ecological, amenity and landscape values and enables adequate opportunity for residential and business land to meet future demand.</i></p>	<p>The plan change area is located on the edge of the indicative growth area for Dargaville, with portions identified as future residential growth area and greater structure plan policy area.</p> <p>The characteristics and values of the plan change area have been identified and where appropriate protected via proposed precinct provisions.</p>
<p><i>3.5.5 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</i></p>	<p>The Land Development Report has comprehensively assessed the potential infrastructure and servicing demand from the proposed residential zone and future development. This concludes that</p>

<p><i>development, so that any adverse effects on the environment or existing systems are adequately avoided, remedied or mitigated.</i></p>	<p>appropriate infrastructure can be provided at the time of development to avoid, remedy or mitigate potential adverse effects.</p>
<p><i>3.5.6 By requiring new residential and business development to comprehensively consider (on a catchment wide basis) potential:</i></p> <ul style="list-style-type: none"> <i>a) Adverse effects on the natural character of the coastal environment, lakes, rivers, wetlands or their margins;</i> <i>b) Adverse effects on areas of significant indigenous vegetation or significant habitats of indigenous fauna;</i> <i>c) Adverse effects on outstanding natural features, landscapes and heritage resources;</i> <i>d) Adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;</i> <i>e) Conflicts with areas where natural hazards could adversely affect the physical resources of residential and business development or pose risks to people’s health and safety;</i> <i>f) 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</i> <i>g) to identify mechanisms to avoid, remedy or mitigate such impacts.</i> 	<p>It is considered that this application has comprehensively considered and addressed all potential adverse effects.</p>

Method 3.63 identifies Dargaville as a growth area, stating that Council will prepare a structure plan for growth areas to direct land use change and future rezoning, stating that a private plan change in advance of a structure plan must be assessed against the outcomes of Appendix 3.1. As illustrated in figure 6 below, the plan change area is located on the edge of the indicative growth area for Dargaville, with portions identified as future residential growth area and greater structure plan policy area. It is noted that Council has more recently released a Spatial Plan for Dargaville and this addressed in further detail at Section 7.4.

For completeness Structure Plan Outcomes of Appendix 3.1 are addressed in **Appendix 9**.

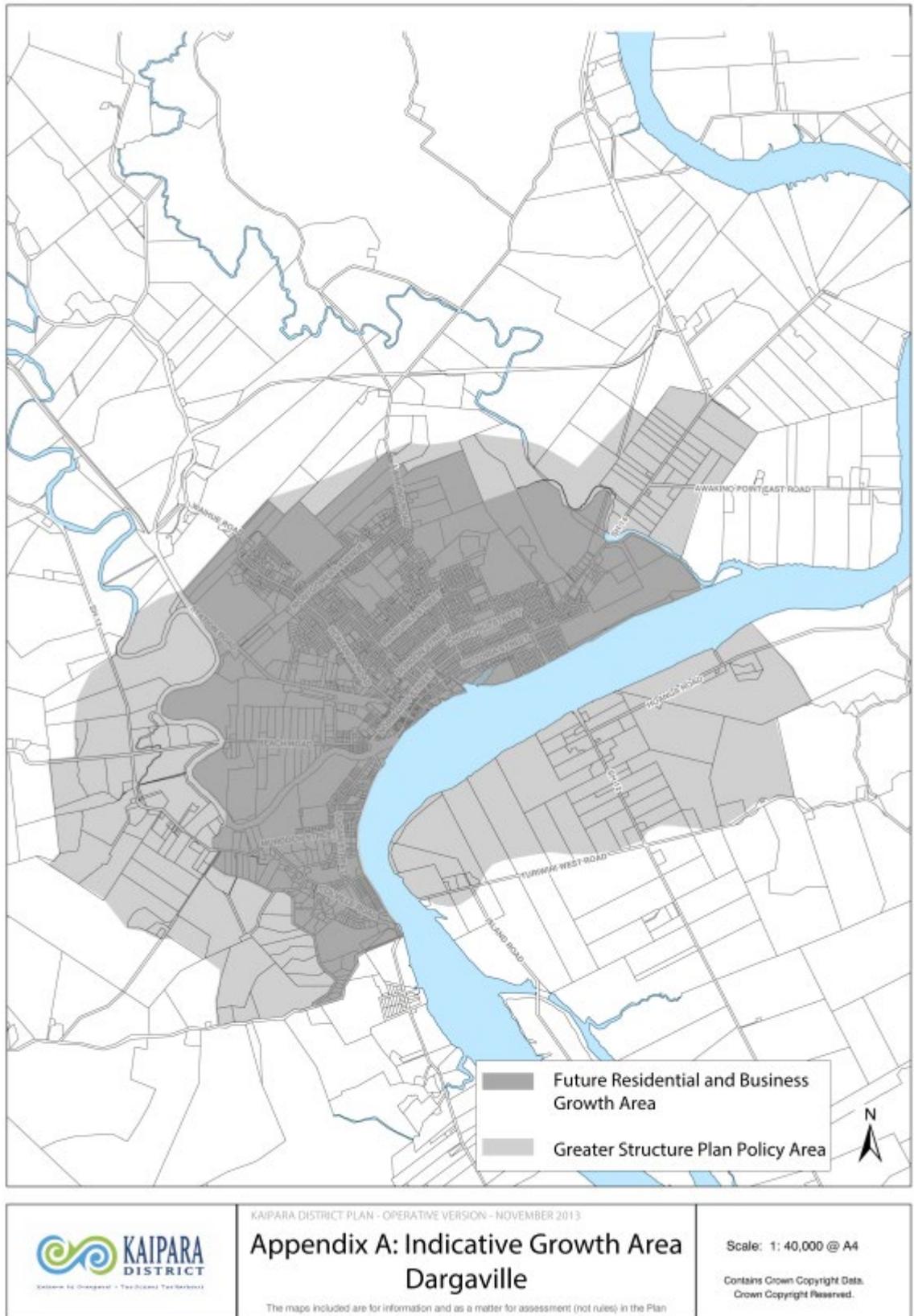


Figure 6: Indicative Growth Area Dargaville (Source: Operative Kaipara District Plan).

For the reasons detailed above, it is considered that the proposed plan change is consistent with and will implement the relevant higher order objectives and policies of the KDP.

7.4 Council Strategic Plans and Policies

KDC have a number of strategic plans and policies which are considered relevant to the plan change in accordance with Section 74 of the RMA:

7.4.1 Kaipara District Spatial Plan – Ngā Wawata 2050 – Our Aspirations

The Kaipara District Spatial Plan sets a spatial plan framework for growth of Kaipara, focusing upon three growth nodes of Dargaville, Maungātūroto and Kaiwaka including project objectives, outcomes, background and history providing the overall context for how the spatial plan has reached the recommended direction and supporting key moves required to achieve the desired growth.

The plan change seeks to implement Kaipara District Spatial Plan, providing residential capacity within a location identified in the DSP.

7.4.2 Dargaville Spatial Plan

The DSP seeks to achieve a future outcome of:

"In 2050, Dargaville is the epicentre of Kaipara food production & technology, a visitor hub for our natural and cultural tourism attractions and a place where our history and the community are celebrated"

The DSP includes an overall plan of the Dargaville Key Moves:



Figure 7: Dargaville Key Moves Plan (Source: DSP)

To achieve this outcome the DSP identifies key moves to achieve a Future Growth, several of these are particularly relevant to this private plan change:

1. Green, Blue and Brown Network:

The DSP identifies the creation of a green, blue and brown network as part of developments to protect water ways, create ecological connections and stabilise steeper slopes. The private plan change area includes portions of open space/public access areas, to the north and south, identified in the DSP:

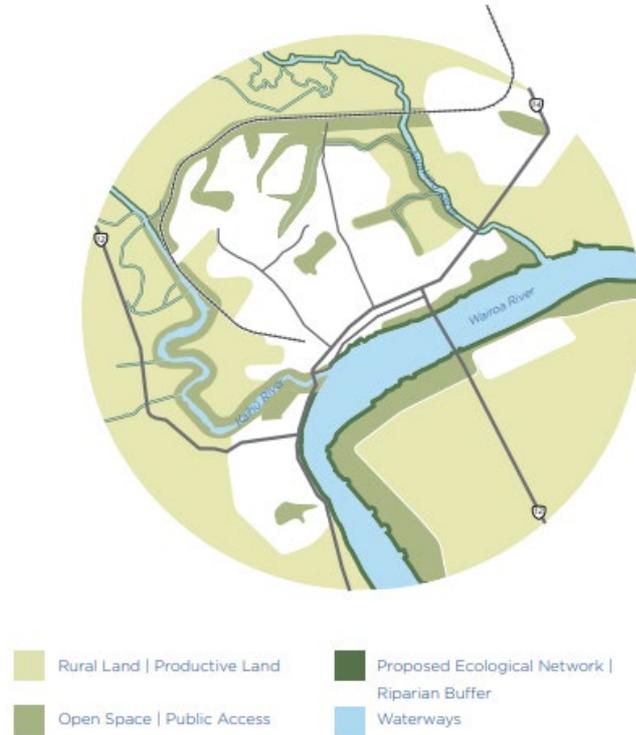


Figure 8: Green, Blue and Brown Network (Source: DSP)

Comment: The plan change seeks to introduce the Awakino Precinct to include provisions specifically to protect the open space areas and create connectivity throughout the area through future development. It is considered that the plan change will achieve this key move.

5. New Housing on the Periphery

The private plan change area is located within the DSP being identified as “new medium density housing”.



Figure 9: New Housing on the Periphery (Source: DSP)

Comment: The plan change seeks to rezone the area Residential Zone consistent with the KDP, however the proposed Awakino Precinct seeks to provide for a range of site sizes proposing a minimum lot size of 450m² and an average lot size of 600m². The DSP anticipates a “medium density housing” within this location providing for mixed density of 450m² to 750m² site sizes, it is considered that the plan change will give effect to the intent of the DSP.

9. Walk + Cycle Connections

Creation of shared paths alongside river and stream networks is identified as a key move. Link “c” is identified to run along the edge of Awakino River.



Figure 10: Walk + Cycle Connections (Source: DSP)

Comment: The plan change seeks to introduce connectivity, both walking and cycling throughout the plan change area creating north south linkages and connections to adjacent land, whilst protecting the wetlands and open spaces. This is consistent with the intent of the DSP.

7.4.2.1 Neighbourhood Study

The DSP includes a number of neighbourhood study areas, the plan change area being identified as the “Awakino River Neighbourhood”. Outcome for this neighbourhood is:

New ‘Medium Density Housing’ providing for mixed-density 450- 750m² site sizes, with one or more dwellings per site. Buildings can be stand-alone or terraced leading to efficient use of land for residential purposes.

The DSP notes that the adjoining infrastructure networks

In the existing urban area are performing as per the current level of service, though significant network renewals expenditure is required in those areas in order to keep continuity of service and to allow for additional residential development to be serviced in greenfield areas. This will be addressed further in the Long Term Plan and Asset Management Plan budgets. Having security of water supply for growth and protection of low-lying areas of land are high priority to allow for the recommended development density in this neighbourhood.

Comment: The plan change seeks to rezone an area of land identified as Awakino River Neighbourhood, as Residential Zone with the Awakino Precinct which will provide for a level density consistent with that anticipated by the DSP. The Land Development Report has concluded that the proposed Residential zoning can be appropriately serviced.

It is considered that the plan change is entirely consistent with the DSP and will achieve all of the outcomes sought.

7.4.3 Infrastructure Strategy 2018- 2048

The Infrastructure Strategy seeks to outline how Kaipara District Council will manage the provision of infrastructure roads, water, wastewater, stormwater and flood protection to meet population growth and economic demands. The Infrastructure Strategy anticipates the total capital and operating expenditure over the 30 year period.

The Land Development Report (**Appendix 3**) notes that revision 6 of the Draft Kaipara Infrastructure Strategy was published on February 2021. Noting that it provides for major capacity expenditure allowance of \$14.75M for wastewater growth in Dargaville.

7.4.4 Long Term Plan Mahere Wā Roa 2021-2031

The Long Term Plan 2021-2031 (**LTP**) seeks to grow a better Kaipara which is supported by six community outcomes:

- Climate Smart - Climate change and its impacts are reduced through community planning
- Healthy Environment - Our natural environment is protected and open to the community
- Celebrating Diversity - Our local heritage and culture are valued and reflected in the community
- A Trusted Council - An open organisation working for our community

- Prosperous Economy - Development is encouraged, supported and sustainable
- Vibrant Communities - Kaipara communities offer an attractive place to live and visit

Improving water security for communities and extension of the Dargaville waste scheme are the two major projected identified for Dargaville within the LTP.

The plan change seeks to rezone the area from Rural to Residential Zoning, the proposed zoning is consistent with the anticipated growth of Dargaville. As such the plan change is consistent with the expected growth and strategic direction anticipated and provided for within the LTP.

7.4.5 Kaipara District Environmental Scan 2020

The Environmental Scan provides a fact-based overview of the environment in which Kaipara District Council operates. This includes information on the physical environment, demographic trends, economy and state of the district's infrastructure.

The Environmental Scan confirms that housing demand in Dargaville is increasing:

Dargaville has seen 13% population growth between 2013 and 2018, far exceeding dwellings growth of 2% over the same period. Consequently, house prices climbed 60.5% over the three years to 30 June 2017 and the town now has a shortage of available rental properties. This disproportionately affects lower income families for whom rent represents a greater proportion of their total income. Most areas of Kaipara have medium to low wellbeing scores according to the New Zealand Index of Multiple Deprivation. Deprivation was generally worse in urban centres than in the rural areas between them with indicators for access to services scoring particularly poorly across all areas.

The plan change will provide increased opportunity for housing within Dargaville to meet the capacity needs.

7.4.6 Infometrics Kaipara Projection Report October 2020

This report details the projections of resident population and household numbers for the Kaipara District. These projections cover the period 2018 to 2051 for a single medium-high growth scenario. This report concludes that Dargaville will experience steady house hold growth over the projected time period.

Sub-District Households

Infometrics medium-high projection

Statistical Area 2	2019	2051	Change 2019-2051
Dargaville	2,056	2,584	528
Kaipara Coastal	1,530	1,710	181
Maungaru	748	771	24
Ruawai-Matakohe	1,049	1,121	72
Otamatea	732	750	18
Maungaturoto	502	771	269
Kaiwaka	875	1,203	329
Mangawhai	472	1,310	838
Mangawhai Heads	1,000	2,091	1,090
Mangawhai Rural	999	2,291	1,292
Total	9,962	14,602	4,640

Figure 11 – Extract from Infometrics Kaipara Projection Report October 2020

The plan change will provide increased opportunity for housing within Dargaville to meet the capacity needs.

7.5 Iwi & Hapū Management Plans

According to s74(2A) of the RMA, Council must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

There are four iwi and hapū that are recognised as Iwi Authorities for the purposes of the RMA, within the Kaipara District:⁴

- Te Roroa
- Te Uri o Hau
- Ngāti Manuhiri
- Ngātiwai

In terms of Treaty of Waitangi settlement process all groups have completed the process except Ngātiwai⁵. The settlement legislation contains obligations for government agencies including territorial authorities.

Both Te Roroa and Te Uri o Hau have lodged their Iwi Management Plan's with KDC. Under the RMA these plans must be "taken into account when making changes to the District Plan".⁶ The plan change area is located within the Te Roroa rohe.

The relevant parts of these plans are discussed below.

⁴ By Te Puni Kōkiri's Te Kahui Māngāi Directory of Iwi and Māori Organisations – see <http://www.tkm.govt.nz/> and as advised by staff from KDC staff.

⁵ At the time of writing this report Ngatiwai had not completed its Treaty Settlement claim.

⁶ Section 74(2A) Resource Management Act 1991

7.5.1 Nga Ture mo te Taiao o Te Roroa – Te Roroa Iwi Environmental Policy Document (Reviewed Versions 2019)

Te Roroa have prepared and lodged the Te Roroa Iwi Environmental Policy Document (**TRIEPD**) with KDC. TRIEPD has been prepared to encourage and promote partnerships, facilitate communication, and express resource management issues to all government agencies including district and regional councils for the purposes of the RMA and Local Government Act 2002 (**LGA**). The TRIEPD contains useful guidance on policies and processes for kaitiakitanga, mātauranga Māori and tikanga in the management of resources within their rohe. TRIEPD expressly refers to KDC and identifies the KDP as a key planning document including noting the role of Statutory Acknowledgements identified in the Te Roroa Deed of Settlement. Further, there are direct policies that outline their desire for participation in statutory planning processes including plan making and resource consenting.

In terms of the plan change, the following policies are most relevant:

- Land

Policies 2 and 3 seek to ensure that development within the rohe is not at the expense of the relationship of Te Roroa with that land, culture and heritage or at the expense of the environment. That development should be preceded by proper infrastructure planning.

- Soils and Minerals

Policies 3 and 4 seek that the district plan requires compliance with stringent environmental performance standards for permitted earthworks and that integrated earthworks management plans are required for earthworks consent applications detailing how erosion, sediment control, possible archaeological or cultural sites and rehabilitation are to be managed, and how risks will be identified and minimised.

- Utilities, Amenities and Infrastructure

Policies 1 – 5 seek to ensure that Te Roroa are involved with all decision-making processes for development and management of utilities, amenities and infrastructure, innovative means of providing for infrastructure should be encouraged and public services to green field developments should not be at the expense of existing communities, and public reserves should be adequately managed.

- Waste Management

Policy 1 Te Roroa seek a zero-waste rohe.

- Water

Policies 1 – 10 seek to ensure protection of water, discharge human effluent, treated or untreated, directly to water is culturally repugnant. All discharges of pollutants or contaminants to natural waterbodies should be avoided. Policies support an integrated catchment management planning and implementation programme that includes all waterbodies in our rohe. All aquifers will be protected from contamination and over allocation, puna and repo will be protected from inappropriate use and development and Te Roroa and council are to develop management strategies to allocate and monitor all waterbodies in the rohe.

- Biodiversity

Policies 1 – 7 recognise, Te Roroa as kaitiaki, seeking that activities which involve modification of existing indigenous flora or habitats of indigenous fauna are to be preceded by thorough biological audits to identify indigenous species and potential impacts, Te Roroa will only support negative impacts on indigenous flora and fauna after effective engagement and agreed remediation or mitigation.

- Climate Change

Policies 1 – 4 recognises that climate change is a serious and immediate issue, that now is the time for the review of catchment management to recognise and respond to major changes in climatic conditions. Effective catchment management includes large scale enhancement of indigenous ecosystems.

7.5.2 Te Uri o Hau Kaitiakitanga o te Taiao (TUoHKT)

Te Uri o Hau Kaitiakitanga o te Taiao (TUoHKT) is a comprehensive plan that sets out Te Uri o Hau's role as kaitiaki and their rangatiratanga as it relates to natural resource management within their rohe. TUoHKT provides important cultural, historical, and environmental context and includes sites of cultural significance to Te Uri o Hau. It includes directions for consultation and guiding relationship principles for government agencies, including district and regional councils, resource consent applicants and the wider community. Further, reference is made to Te Uri o Hau Claims Settlement Act 2002, and the relevant Statutory Acknowledgement Areas and resource consent requirements afforded within the settlement legislation.

In terms of the plan change, the following policies are most relevant:

- Wai: Fresh Water

Policies which seek to protect indigenous species within all freshwaters; protect, restore and maintain existing wetlands in collaboration with NRC, Auckland Council and land-holders; monitoring of pollutants and advocacy of appropriate planning of subdivisions to avoid, remedy or mitigate adverse effects to freshwater.

- Whenua: Land

Policies seek protection of existing indigenous plants and animals, restoration of habitat through developing strategies for plant and pest control, education and promotion of sustainable land management and appropriate resource consent advice in the planning of subdivisions to minimise adverse effects to the environment while protecting Te Uri o Hau wahi tapu/wahi taonga and the biodiversity of the whenua.

- Growth and Development

Policies directly relate to growth and development which seek to:

- Any proposed development or subdivision shall avoid, remedy or mitigate adverse effects of natural hazards including erosion, flooding and inundation, landslips, rock fall, alluvion (deposition of alluvium), avulsion (erosion by streams and rivers), unconsolidated fill, soil contamination, subsidence, and fire hazards.
- Where no reticulated water supply is available, the ability to provide individual water supply on any respective allotment within a subdivision/development.

- The adequacy of the supply of water to every allotment being created on the subdivision, and its suitability for the likely land use, e.g. the installation of filtration equipment if necessary, and water supplies for fire fighting purposes.
- The provision of allotments with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces, in such a way to mitigate any adverse effects of storm-water runoff on receiving environments.
- Control of water-borne contaminants, litter and sediments, and the effectiveness and environmental impacts of any measures proposed for by avoiding or mitigating the effects of storm-water run-off, including low impact design principles.
- All plantings to be locally sourced native species.
- Where connection is not available for sanitary sewage disposal, all allotments in urban, rural and coastal zones shall be provided with a means of disposing of sanitary sewerage within the neat area of the allotment, except where the allotment is for a road, or for access purposes, or for a purpose of activity for which sewerage is not necessary.

- Biodiversity

Biodiversity policies generally seek to recognise the biodiversity of Te Uri o Hau sites of significance and the protection and preservation of plants and animals of all kinds, air, water and soil in or on which any plant or animal lives or may live, systems interacting with any living organisms, and their environment; and any other interest in natural resources for future generations.

- Cultural Landscape

Cultural landscape policies seek, legal protection of a cultural landscape, archaeological sites or sites of significance through a covenant registered on a certificate of title and restoration of a cultural landscape, archaeological sites or sites of significance as a joint project, including access agreements between landowners and Te Uri o Hau.

Discussion:

The plan change will be consistent with the TRIEPD and TUoHKT for the following reasons:

- The plan change area does not contain any areas of waahi tapu, waahi taonga or Statutory Acknowledgement areas;
- The contour of the plan change area is such that future development within the area will require minimal earthworks which will be managed via KDP provisions;
- The land development report prepared by Chester confirms that the proposed rezoning to residential can be serviced via reticulated services or onsite solutions whilst avoiding adverse effects;
- The proposed precinct and policies will ensure protection and rehabilitation of wetlands within the plan change area;
- The subject plan change area is not identified as susceptible to flooding hazard. The land development report prepared by Chester has addressed management of stormwater concluding that potential stormwater runoff from the proposed residential zone can be

adequately managed to avoid adverse effects, effectively reducing the potential to exacerbate risk of climate change effects.

7.6 Statutory Acknowledgements

A statutory acknowledgment is formal recognition by the Crown of the particular cultural, spiritual, historic and traditional associations that an iwi or hapū has within a statutory area. Statutory acknowledgements may only apply to Crown land and may consist of land, rivers, lakes, wetlands, a landscape feature or a particular part of the coastal marine area. KDC is legally obliged to have regard to statutory acknowledgments and to record them in the District Plan. The KDP currently lists statutory acknowledgements in Appendix 17.2: Nohoanga Areas and Areas of Significance to Māori. **Table 4** below provides a full list of statutory acknowledgements within the KDC's boundaries as identified in the relevant settlement legislation.

Table 4: KDP Chapter 3 Land Use and Development Strategy – Policies Assessment

Iwi	Deed of Settlement Legislation	Location(s)
Te Roroa	Te Roroa Claims Settlement Act 2008	- Tokatoka Scenic Reserve
Te Uri o Hau	Te Uri o Hau Claims Settlement Act 2002	- The Mangawhai Marginal Strip - Oruawharo River Stewardship Area - Pouto Stewardship Area - Pukekararo Scenic Reserve - Kaipara Harbour - Mangawhai Harbour

Comment: The locations identified in the statutory acknowledgements are not located within the plan change area. However, it is recognised that the plan change area is located in proximity to the Awakino River which flows directly to the Kaipara Harbour. As such any future development within the plan change area has the potential to have an effect on the river and harbour. As detailed within this assessment the plan change is considered to have less than minor potential adverse effects and the proposed residential zoning is appropriate.

7.7 Consultation & Engagement

Consultation, consisting of informal meetings with other landowners within the plan change area, Te Roroa and key stakeholders has been undertaken February 2022 – April 2022.

8.0 Assessment of Environmental Effects

Section 76 of the RMA states that in making a rule, the territorial authority must have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect. This section details the actual and potential effects that the plan change provisions may

have on the environment. This assessment is based on analysis and reporting undertaken by various experts, which are attached as appendices to this report.

8.1 Quality Built Environment

The Urban Design Assessment prepared by B&A (refer **Appendix 7**) identifies the opportunities and constraints presented by the plan change area provided a high-level yield and established the following urban design outcomes and which has informed the precinct provisions of the plan change:

- (1) The block structure should respond to the topography and climatic conditions such as solar orientation and prevailing winds.
- (2) The block structure should be flexible to deliver a range of housing typologies that respond to the needs of the community and market.
- (3) Public streets and open space networks should be well connected, legible and safe while enhancing environmental and ecological values.
- (4) Where private development adjoins future public open space, a safe positive and open edge condition should be provided.
- (5) Any future development should integrate well with adjacent sites and enable adjacent land owners' efficient and logical development opportunities.
- (6) Future development should be designed to ensure high quality on-site residential amenity, privacy, sunlight access and legibility.

These outcomes have been incorporated into the plan change provisions (**Appendix 8**). The Urban Design Assessment concludes:

The proposed precinct plan and relevant objectives, policies, rules and assessment criteria will establish a robust framework for any future development that will help to secure good urban design outcomes which have been identified within this assessment.

The Urban Design Assessment assists in defining the likely effects of the proposed Residential Zoning and Awakino Precinct. The Assessment acknowledges:

"The PCA will see a significant change in character due to the different development outcomes associated with a 'rural' to a 'residential' land use. Notwithstanding, this change is anticipated and will result in an opportunity to establish greatly needed residential dwellings to support the growth of Dargaville. Further, the proposed precinct provisions utilise good urban design principles that will help to ensure the change in land use will result in favourable effects for the PCA and wider community".

The Assessment has focused potential effects assessment on:

- Potential streetscape effects associated with Awakino Road; and
- Potential effects onto neighbouring properties.

Concluding that any adverse effects will be minimal and will be mitigated by the proposed Awakino Precinct provisions.

8.2 Ecology

The Ecological Assessment (**Appendix 6**) prepared by Rural Design Limited identifies (RDL) the ecological features of the plan change area and assesses the potential effect of the proposed Residential Zoning. Rural Design have assessed the magnitude and level of effects of the plan change before and after potential mitigation have been considered in detail in Table 6 of the Ecological Assessment.

As a part of the ecological assessment, RDL considered at a high level the potential ecological effects on terrestrial and aquatic values attributable to the plan change and subsequent subdivision and development of the plan change area, before and after the implementation of recommended mitigation and management actions. The subsequent level of ecological effects (with mitigation measures) is considered to be low in accordance with the EINAZ (2018).

RDL conclude that the plan change is generally consistent with the policies and objectives relating to ecological protection and enhancement as outlined under NPS-FM, KDP, Proposed Regional Plan for Northland (Appeals Version) and Kaipara Spatial Plan.

RDL consider that there are no significant constraints to the proposed urbanisation of the plan change area, and the potential adverse effects on the environment can be avoided, remedied or mitigated through following the policies, objective and rules as outlined within the proposed Awakino Precinct Provisions or the existing relevant provisions of the District and Regional Plans. The Awakino Precinct Provisions would provide the opportunity to protect and enhance the current low ecological values with a particular focus placed on maintaining the interconnected network between the natural features.

For these reasons It is considered based upon this report and proposed precinct provisions, that the effects of the proposed plan change on ecology will be less than minor and acceptable.

8.3 Transport

Traffic, access and parking matters have been considered in Transport Assessment Report prepared by Traffic Planning Consultants Ltd (see **Appendix 4**). Traffic Planning Consultants have undertaken an assessment of the potential traffic effects of rezoning the plan change area Residential based upon a potential yield of 368 residential units.

A summary of the transportation effects is provided in the conclusion of their report as follows:

Based on the investigations carried out as part of this assessment the following is concluded:

- The proposed plan change for approximately 392,610 m² of rural land, enabling the creation of up to 348 dwellings will generate approximately 2,853 daily trips and 313 peak hour trips.
 - Trip generation has been calculated based on the 85th percentile trip generation rate for each of the 348 dwellings; thereby representing a conservative approach to effect determination.
- A review of the area crash history did not suggest any inherent road safety issues, which would likely result in serious injury or death.

- When these trips are assigned to the wider road network following existing trip distribution trends, there are significantly noticeable effects onto intersections along Awakino Road, north of Jervois Street (SH12).
- At the intersection of Awakino Road and Jervois Street (SH12), the north intersection approach was forecast to result in increased average delays for all turning movements, such that the proposal would likely result in noticeable effects onto the operation to the intersection.
- To mitigate the effects of the proposal, an auxiliary left-turn lane, with 20 metres of storage can be constructed through road widening on the north approach to improve the intersection's capacity and reduce delays to an acceptable level.

It is considered that the proposed provisions will trigger appropriate upgrading of the intersection of Awakino Road and Jervois Street (SH12) as necessary. Based on the conclusions drawn in the Transport Assessment Report, it is considered that, the plan change area is suitable to be rezoned Residential Zone with a Precinct and potential effects with respect to transportation will be acceptable.

8.4 Three Waters Servicing

The provision of three waters infrastructure to service the development has been considered in the Land Development Report prepared by Chester. Their report is attached as **Appendix 3**. Chester have undertaken an assessment of the potential effects of rezoning the plan change area Residential based upon the potential yield based upon the proposed minimum lot size.

Water Supply:

Chester concludes that there are no known treatment or distribution constraints within the existing water supply network. However, the raw water supply is constrained, whilst there are viable solutions Council have not committed funding within the LTP to implement these within the next 10 years.

Chester have considered the potential increased demand on the reticulated water supply based upon the potential yield, noting that development will occur over time and the increased demand will not be instantaneous.

The rezoning of the area would result in 13.14.4 Water Supply applying to any future development of the plan change area. Rule 13.14.4 will ensure that water supply or engineering solutions will be in place at the time of development. Chester have taken this assessment a step further, investigating various solutions that could be applied at time of development in accordance with rule 13.14.4 which prove that it is viable to servicing of the additional residential capacity.

Waste Water:

Chester have investigated the current capacity of the Dargaville reticulated wastewater system and wastewater treatment plant. It has been difficult for Chester to confirm current capacity and they have concluded that there is a KDC knowledge gap with respect to the condition and treatment capacity of the wastewater treatment plant, noting that Council is currently undertaking assessment of the treatment capacity. Chester has identified two potential constraints to service the plan change area with reticulated wastewater:

1. Capacity constraints in the councils existing pipe network and wastewater pump stations; and

2. Capacity limitations within the Dargaville wastewater treatment plant.

Chester have also noted that any capacity constraints or limitations have been anticipated and provided for by KDC, with \$14.75m allocated within Kaipara Infrastructure Strategy (draft February 2021) for Wastewater Growth in Dargaville.

Chester have considered the potential increased demand on the wastewater system based upon the potential yield, noting that development will occur over time and the increased demand will not be instantaneous.

As the plan change does not seek to change the KDP provisions relating to infrastructure, it is concluded that rule 13.14.6 Wastewater Disposal would apply to any future development of the plan change area. This rule will ensure that wastewater capacity is available or engineering solutions will be in place at the time of development. Chester have also taken this a step further investigating various solutions which prove that it is viable to servicing of the additional residential capacity.

Stormwater:

Chester have assessed the potential effect of the rezoning with respect to stormwater, remarking that the notable difference is the increase of impermeable coverage from the existing Rural permitted activity coverage of 15% to proposed permitted activity coverage of 60%. Chester have also noted that the NPS-FW requires a more comprehensive assessment of stormwater quality and quantity than that required by the KDP and the Kaipara Environmental Engineering Standards 2011 (Rule 13.14.5).

Proposed Awakino Precinct provisions have been prepared to require management of stormwater at time of subdivision, following current best practice, this includes an information requirement rule for every resource consent application to subdivide to be supported by a stormwater assessment and stormwater management plan.

Stormwater management is also required for all proposed impermeable surfaces at time of development in accordance with a stormwater management plan previously approved via subdivision or in accordance with a proposed stormwater management plan.

Chester have prepared an example stormwater management plan which provides indicative options to manage stormwater onsite in accordance with best practice. It is considered that this confirms that potential effects of stormwater as a result of the proposed rezoning can be managed.

On the basis of the assessment from Chester, it is considered that the effects of the proposed plan change on three waters infrastructure will be less than minor and acceptable.

8.5 Geotechnical

The Geotechnical Appraisal Report prepared by Soil and Rock included as **Appendix 5** sets out the conditions and constraints of the plan change area. The Report has concluded:

Based on our desktop assessment, we consider that the site is geotechnically suited to residential subdivision. The following is noted of geotechnical concern at the site:

- *Site slopes on the eastern portion of the site will need to be assessed for stability and remedial options design (if required)*

- *The lower portion of the site (eastern area) is mapped as high liquefaction risk*
- *Previous earthworks have been carried out along the northern boundary of the site. No information is known about the fill, and we infer the fill has not been placed to engineering standards.*
- *The existing drainage channels will need to be maintained or assessed.*
- *The Client should consider potential issues related to Acid-Sulphate soils. This should not preclude residential development but may represent higher cost of house foundation and subdivision infrastructure construction.*

On the basis of the assessment from Soil and Rock, it is considered there are no adverse effect from rezoning the area Residential.

8.6 Urban Character and Density

The plan change seeks to introduce the KDP Residential Zone with a Precinct to include bespoke provisions. As previously discussed, the plan change will see a change in character within the plan change area and immediate surrounds.

The Awakino Precinct provisions seek to provide for an increased range of housing opportunities and densities and it is acknowledged that this will create a further change to the future urban character from that of the KDP Residential Zone. The plan change also seeks to establish tailored bulk and location controls to enable an efficient use of land for residential purposes while maintaining privacy, outlook and access to sunlight within the Awakino Precinct. The appropriateness of the proposed Awakino Precinct provisions is considered further in accordance with section 32 in Section 9 of this report.

It is considered that the proposed Awakino Precinct provisions provide for an efficient use of land for residential purposes and the change in character will be appropriately managed in accordance with best practice urban design principles as previously discussed.

In overall terms, it is considered that the intensity of development is reasonable and the urban character and density of future development within the proposed plan change area will have less than minor and acceptable effects to the character and amenity of the surrounding residential zones.

8.7 Rural Character

The plan change area is zoned Rural Zone under the KDP, it currently displays a level of rural character. The area consists of a flat plateau which has a rural character afforded to the large open areas of pasture, scattered areas of indigenous vegetation and wetlands, linier patterns of fence line and lack of built form.

The area drops in contour to the east and south, where a stronger rural character is created by areas of manuka and kanuka shrubs, wetlands and productive land uses (kumara farming) to the east of the plan change area. These transition and proposed zone interface have been managed and ecological areas protected by way of proposed precinct provisions.

The plan change area is located adjacent to the existing residential development which lines Awakino Road, creating an existing interface between rural and urban land uses and a compromise in the existing rural character of the plan change area. It is acknowledged that rezoning of the plan

change area to Residential Zone will result in a change in character and the residential to rural transition of built development will occur further to the east than in the KDP.

It is considered that the plan change will result in no more than minor adverse rural character effects.

8.8 Rural Productivity and Reverse sensitivity

The plan change area is currently zoned Rural, with portions being utilised as pasture. The soil types within the area are a mix of LUC 3 – 6 being predominantly covered by LUC 4 land, which has moderate suitability for occasional cropping, pasture or forestry land as such the area is not considered to be highly productive.

The ability to utilise the area for a range of productive uses has been compromised not only due to soil types and access to water but also due to the adjacent residential zoning and land uses. It is acknowledged that the rezoning will result in a loss of rural land.

As previously discussed, the area drops in contour to the east and intensive productive land uses (kumara farming) occurs to the east of the plan change area. The proposed zone interface and potential reverse sensitivity effects have been managed by way of proposed precinct provisions.

As such it is concluded that the plan change will result in less than minor and acceptable effects on rural productivity and reverse sensitivity.

8.9 Connectivity and Open Space

Provision of connectivity and open spaces has been a key urban design element considered by the plan change and the proposed precinct requires the establishment of:

- A central **‘neighbourhood park’** which is sized and designed in response to both the existing and anticipated number of residents within the local area.
- A north-south **‘green street’** which will help to create an ecological corridor between open space areas to the north and south.
- Protection and enhancement of the network of ecological features.

The Awakino Precinct provisions described above have been indicatively identified on the Awakino Precinct Plan with subdivision rules included to require their establishment. Pedestrian walking tracks are proposed to create north south connectivity through the plan change area and to the adjacent residential development to the west. The proposed precinct provisions go well beyond that of the KDP and it is considered that the proposed open space and connectivity will positively contribute to the onsite and wider environment amenity, openness and general community wellbeing.

8.10 Landscape

The plan change area is not identified as containing any significant landscape features and is not mapped as an Outstanding Landscape or Feature in the KDP. The majority of the plan change area comprises of flat topography, dropping steeply along the southern and eastern edges to wetlands.

It is considered that the Residential Zone bulk and location rules will manage the level of built development to avoid any adverse landscape effects.

8.11 Heritage

The plan change area does not contain any known historic heritage features, sites or areas of significance to Māori or archaeological sites. It is considered that the plan change will not result in any adverse effects to historic heritage, furthermore the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act will apply to any future development under the proposed Residential Zone.

8.12 Tangata Whenua

The KDP does not identify recorded sites of significance to Māori within the plan change area. The plan change area is also not located within an identified area of cultural significance and the regional plan does not identify recorded sites of significance to Māori within the area.

MHL recognises the role of Te Roroa as kaitiaki within the Dargaville area and accordingly, has had pre-liminary discussions with Snow Tane of Te Roroa on 19 April 2021. Noting the early stages of the preparation of the application, these discussions were to provide a heads up of the proposal, with the intention of further consultation being carried out as the application progresses through the RMA process. While these initial high-level discussions did not raise significant concerns or issues, it is noted that Te Roroa have indicated that they will provide further inputs during the plan change process if deemed necessary.

It is considered that the proposal avoids any adverse effects on tangata whenua.

9.0 Section 32 Analysis

9.1 Scale and Significance of the Effects

Section 32(1)(c) of the RMA requires the s32 evaluation to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. Effects of the proposed plan change have been assessed in section 8 of this report. In order to determine the scale and significance, the following criteria have been used:

Table 5: Assessment of scale and significance of effects

Criteria	Summary of effects	Evaluation (1 is low and 5 is high)
Reason for change	<ul style="list-style-type: none"> To deliver viable and sustainable residential zoning. The plan change also seeks to apply a precinct to the plan change area to provide for future residential intensification. Implementing non-statutory planning initiative – the DSP. The plan change is consistent with and will give effect to the DSP. 	3

<p>Degree of shift from status quo</p>	<ul style="list-style-type: none"> • The plan change seeks to rezone a portion of land from Rural to Residential, which will be a shift from the status quo, resulting in a continuation of the existing residential zone along Awakino Road. • The proposed Awakino Precinct, has been prepared to blend with the existing KDP rule framework, whilst implementing the required National Planning Standard structure. • The proposed precinct provisions seek to introduce bespoke provisions to address features and characteristics within the plan change area which require particular management. • The proposed provisions are discrete and will only apply to the precinct area. • The plan change does not seek to change any of the KDP objectives, but proposes to add a single objective to apply to the precinct area. 	<p>2</p>
<p>Who and how many will be affected, geographic scale of effects</p>	<ul style="list-style-type: none"> • The plan change will implement the community outcomes identified in the DSP. • 15 private properties are located within the proposed precinct. • The rezoning will be directly adjacent to 16 properties along Awakino Road. • All properties within Awakino Road will potentially experience increased traffic as the residential zone is realised. • The proposed precinct provisions and rezoning is very localised, applying to a single plan change area. 	<p>1</p>
<p>Degree of impact on or interest from Maori</p>	<ul style="list-style-type: none"> • High level engagement with Te Roroa has been completed with no initial issues being raised. • The proposed plan change area does not include any known sites, areas or resources of significance to iwi/Māori. • The proposal is considered to be consistent with Te Roroa Iwi Environmental Policy Document (TRIEPD). 	<p>2</p>
<p>Timing and duration of effects</p>	<ul style="list-style-type: none"> • The plan change seeks to rezone the area to provide for residential development ongoing into the future. 	<p>3</p>

<p>Type of effect:</p>	<ul style="list-style-type: none"> • Effects have been assessed in section X of this report and are consisted to be less than minor. • The proposed plan change is considered to have a positive impact on social and economic well-being providing for housing opportunities within Dargaville. • The proposal will have positive impact on Part 2 matters as precinct provisions will afford a higher level of protection and enhancement of ecological features within the plan change area than that of the KDP. 	<p>2</p>
<p>Degree of risk or uncertainty:</p>	<ul style="list-style-type: none"> • The proposed plan change will have a low level of risk and uncertainty because: <ul style="list-style-type: none"> ○ the plan change does not seek to introduce any novel or untested methods; ○ the plan change is supported by comprehensive technical reports which provide a strong evidence base to support the proposed provisions; ○ costs and benefits are certain; ○ the plan change is not dependent on other initiatives. 	<p>1</p>
<p>Total (out of 35):</p>		<p>14</p>

The level of detail in this evaluation report is appropriate for the level of effects anticipated.

9.2 Appropriateness of the Proposal to Achieve the Purpose of the Act

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the proposed plan change are the most appropriate way to achieve the purpose of the RMA.

9.2.1 Objectives of the Plan Change

The purpose of the plan change is to deliver additional land for housing use with a supporting network of open spaces and protected wetlands.

The proposal seeks to rezone the plan change area residential zone, consistent with the KDP which will apply the objectives listed in Chapter 13.5 of the KDP. The proposed Awakino Precinct incorporates the following objective to guide development within the plan change area:

- *PREC1-O1 Awakino Precinct Density*

Residential living opportunities and housing choice is enabled in the Awakino Precinct whilst ecological, reverse sensitivity, and character and amenity effects are managed.

9.2.2 Assessment of the Objectives against Part 2

The plan change seeks to apply the KDP Residential Zone objectives (Chapter 13.5), which have been established following a statutory process in accordance with schedule 1 of the RMA. Therefore, this assessment is focused upon the proposed Awakino Precinct objective.

Section 5 of the RMA identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The proposed Awakino Precinct objective is consistent with Section 5 of the RMA for the following reasons:

- The plan change will provide quality housing opportunities and housing choice on land adjacent to the existing residential zone of Dargaville, and in proximity to central business area of Dargaville, enabling communities to provide for their social and economic well-being.
- Development will be coordinated with the delivery of required infrastructure, resulting in sustainable development.
- The effects on the transport network from proposed residential development will be managed appropriately.
- The plan change will ensure protection and enhancement of significant ecological features (wetlands and streams) within the plan change area.
- The plan change will provide open space to support the wellbeing of surrounding and future residents.

Section 6 of the RMA sets out a number of matters of national importance which need to be recognised and provided for in achieving the purpose of the RMA. This includes the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins; protection of outstanding natural features and landscapes, the protection of areas of significance indigenous vegetation and significant habitats of indigenous fauna; maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; the protection of historic heritage; the protection of protected customary rights and the management of significant risks from natural hazards.

The plan change area is not located within the coastal environment (as mapped by Northland Regional Council), there is no known protected historic heritage, natural features or landscapes on within the area and the proposal will not involve significant risks from natural hazards. Furthermore, mana whenua has been initially consulted with respect to the proposal.

The plan change area does contain areas of indigenous vegetation, wetlands, and intermittent and permanent streams, as such section 6c is considered relevant to this evaluation. The need to recognise and provide for the protection of these ecological features is given effect to via the proposed Awakino Precinct objective and provisions.

It is considered that the proposed Awakino Precinct objective in combination with the KDP objectives will most appropriately give effect to section 6 of the RMA. Proposed objective PREC-01 will in particular give effect to section 6c of the Act.

Section 7 of the RMA identifies a number of “other matters” to be given particular regard by Council. Specific matters from section 7 that are relevant to the plan change include:

b) The efficient use and development of natural and physical resources - The plan change will support the efficient use of natural and physical resources by applying precinct provisions that will provide for a more achievable and practicable land use pattern including a higher level of residential development to meet the needs of the Dargaville community.

c) The maintenance and enhancement of amenity values and f) Maintenance and enhancement of the quality of the environment - The proposed precinct provisions will enable a well-connected and high quality urban environment to be achieved that responds to the specific land characteristics of the plan change area and edge conditions.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. It is considered that this proposal will not offend against the principles of the Treaty of Waitangi. In particular, the Applicant has actively consulted with mana whenua.

The plan change is a more effective means of achieving the sustainable management purpose of the RMA than the current planning framework or an alternative (as detailed below in section 9 of this report). Overall, it is considered that the objectives of the plan change are the most appropriate way to achieve the purpose of the RMA.

9.2.3 Assessment of the Objectives against Higher Order Policy

The Plan Change proposes to introduce the Awakino Precinct to the KDP Residential Zone, it will effectively sit on top of the underlying zone with additional provisions or exemptions to specified Residential Zone provisions. As such it is necessary to evaluate the proposed objective against the settled higher order objectives of the KDP. The Plan Change has been evaluated against the higher order objectives of Chapters 2 District Wide Resource Management Issues and Chapter 3 Land Use and Development Strategy in Section 7.3 of this report. It is considered that all Residential Zone objectives contained in 13.5.1 – 7 of the KDP remain in effect if the proposed plan change were to take effect.

Objectives of the Residential Zone seek:

- 13.5.1 *To maintain and where appropriate enhance the amenity values of the residential environment.*
- 13.5.2 *To ensure that the servicing of new subdivision and development does not adversely affect the environment, particularly sensitive receiving environments.*
- 13.5.3 *To maintain and enhance public access to the coast, rivers and lakes as a result of land use and subdivision development.*
- 13.5.4 *By managing the effects of those activities which have the potential to adversely affect residential amenity (e.g. building location, earthworks and vegetation clearance).*
- 13.5.5 *To enhance linkages (e.g. pedestrian, vehicular, open space) between adjoining residential uses.*

- 13.5.6 *To maintain sites and buildings during development to avoid adverse visual amenity effects.*
- 13.5.7 *To recognise business and economic activity that enables people and communities of the District to provide for their social, economic and cultural wellbeing, while avoiding adverse effects (including reverse sensitivity effects) on the environment.*

Proposed Awakino Precinct objective PREC-O1 is consistent with KDP residential zone objectives 13.5.1 – 7 but seeks to achieve outcomes specific to the plan change area. The objective addresses residential opportunities and housing choice which is not referenced in the KDP objectives; therefore, the objective will achieve a more directive outcome than that of the KDP residential zone objectives.

The language of the objective is consistent with objectives 13.5.1 and 13.5.4 seeking to manage effects, whilst being more specific with respect to what effect must be managed (reverse sensitivity) and what effects must be managed on (character and amenity and ecology).

Overall, it is considered that the proposed Awakino Precinct objective PREC-O1 will appropriately give effect to higher order policy of the KDP and be consistent with the Residential Zone objectives 13.5.1-7.

9.3 Appropriateness of the Provisions to Achieve the Objectives

Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions (e.g. policies and methods) of the proposed plan change are the most appropriate way to achieve its objectives by:

- Identifying other reasonably practicable options for achieving the objectives;
- Assessing the efficiency and effectiveness of provisions in achieving the objectives; and
- Summarising the reasons for deciding on the provisions.

Any assessment under section 32(1)(b)(ii) must:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:*
- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

If the proposed will:

amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under section 32 (1)(b) must relate to:

- (a) *the provisions and objectives of the amending proposal; and*
- (b) *the objectives of the existing proposal to the extent that those objectives—*

- (i) are relevant to the objectives of the amending proposal; and
- (ii) would remain if the amending proposal were to take effect.

The Plan Change seeks to both amend the KDP and introduce a new Awakino Precinct. Therefore, the above assessment must relate to the proposed amendments to the operative KDP and the provisions and objectives of the proposed Awakino Precinct. The Plan Change does not seek to amend the KDP objectives, but proposes a new precinct objective. The relationship of the proposed precinct objective with the Residential Zone objectives and the appropriateness of the proposed precinct objective is considered in section 9.1.3 of this report.

Appendix 11 provides a detailed evaluation of the efficiency and effectiveness of the Residential Zone provisions and the amendments proposed.

9.4 Other Reasonably Practicable Options for Achieving the Objectives

In determining the most appropriate method for achieving the objectives of the plan change, consideration has been given to the following other reasonably practicable options:

Option 1: Status quo (Rural Zone)

This option involves retaining the operative Rural Zone, zoning and provisions.

Option 2: Rezone Plan Change area KDP Residential Zone and Reserve Management Unit

This option involves rezoning the Plan Change area Residential Zone with a Reserve Management Unit. The rezoning will apply standard KDP residential zone, relying upon the zone and district wide provisions to control development and does not introduce bespoke provisions.

Option 3: KDP Residential Zone change, with nuanced provisions to allow for a range of living

This option involves rezoning the plan change area Residential Zone with amendments and nuanced provisions within the Residential Zone provisions to allow for a range of living opportunities, intensities and choices.

Option 4: Seek for Residential Zone change via Structure Plan or Urban Development Area.

This option involves rezoning the plan change area Residential Zone by way of inserting a Structure Plan into the KDP following the directions of chapter 3.

Option 5: Rezone the plan change area with a Precinct that sits within the KDP Residential Zone chapter.

This option involves rezoning the plan change area KDP residential zone with consequential amendments. This option introduces a precinct to the plan change area that includes bespoke controls for subdivision, urban design, protection and enhancement of ecological features, provision of open space and reverse sensitivity.

Evaluation of the alternative options have been summarised in **Appendix 10**.

Option 5 is the preferred option. Rezoning the plan change area Residential Zone with a precinct, is the most appropriate mechanism for achieving the objectives of the plan change. This option enables residential development and the use of land more efficiently. The precinct will ensure that growth is integrated with the provision of open space, connectivity, and protection and enhancement of ecological features and that stormwater is managed in accordance with best practice, giving effect to the NPS-FW.

9.5 Assessing the Efficiency and Effectiveness of Provisions in Achieving the Objectives

9.5.1 Proposed Awakino Precinct Policies

The proposed objective PREC-O1 is achieved through the application of policies and methods, in this case the use of land use and subdivision rules. The policies proposed for inclusion (See **Appendix 8**) are considered to achieve the objective by:

- Providing for a range of allotment sizes that are appropriate in the precinct.
- Promoting good subdivision design.
- Managing adverse effects on residential amenity and character.
- Achieving a well-connected, legible and safe, open space, pedestrian and transport network.
- Protecting and enhancing the ecological values of all natural wetland features, intermittent and permanent streams, and indigenous vegetation.
- The provision of open spaces that provide for the recreation and amenity needs of the residents.

The proposed policies are considered the most appropriate for achieving the objectives and provide a coherent link to the methods and rules of the Awakino Precinct. The use of clear and direct policies improves the effectiveness of methods in achieving the Precinct objective. Table 5 below demonstrates that the policies proposed for the Awakino Precinct implement the proposed objective, and that the rules implement the proposed policies:

Table 6: Linking of proposed Awakino Precinct Provisions

Proposed Objective	Proposed Policies	Proposed Methods
PREC1-O1 Awakino Precinct Density Residential living opportunities and housing choice is enabled in the Awakino Precinct whilst ecological, reverse sensitivity, and character and amenity effects are managed.	PREC-P1 Awakino Precinct Subdivision	13.10.7.3 (Setbacks) 13.13A (Subdivision) 13.14.2.3 (Road, private way formation and property access) 13.14.5.3 (Stormwater disposal)
	PREC-P2 Awakino Precinct Residential Amenity	13.10.3a.2 (Dwelling, density, orientation and mass) 13.10.7.3 (Setbacks) 13.10.7a (Fencing and landscaping) 13.10.11.2 (Private open space) 13.10.12.2 (Permeable surface) 13.10.13.2 (Building coverage) 13.10.25.g (Vehicle access and driveways)

		13.13A.8 (Subdivision, allotment sizes rules) 13.14.2.3 (Road, private way formation and property access)
	PREC-P3 Awakino Precinct Connectivity	13.13A.12 – 14 (Subdivision, road layout rules) 13.14.2.3 (Road, private way formation and property access)
	PREC-P4 Awakino Precinct Ecological Values	13.10.7.3 (Setbacks) 13.13A.15 & 16 (Subdivision, ecological enhancement rules) 13.14.5.3 (Stormwater disposal)
	PREC-P5 Awakino Precinct Open Space	13.10.7a (Fencing and landscaping) 13.13A.9 – 11 (Subdivision open space rules)

9.5.2 Proposed Awakino Precinct Boundaries

Spatial mapping is considered to be an appropriate method of achieving the objective of the Awakino Precinct as it identifies where the proposed new objectives and provisions do and do not apply. In order to assess the appropriateness of the proposed spatial extent of the Awakino Precinct in achieving the objectives of the Plan Change and PREC1-O1 the following options are evaluated, it is considered that options are appropriate methods and would be effective and efficient with respect to spatial mapping, however the evaluation must determine the most effective and efficient.

- Option 1:** Status Quo: Do not map a Precinct and instead retain the Rural Zone.

Option 1 maintains status quo, the costs and benefits of this option have been evaluated within **Appendix 10** and is considered that this option will not give effect to PREC1-O1 and is therefore not an effective and efficient method.
- Option 2:** Map the Residential Zone and Awakino Precinct based on the DSP, Awakino River Neighbourhood area.

The DSP has been established at a high level and does not specify how boundaries of proposed key moves are to be located. The DSP indicates that the entire area from the existing KDP Residential Zone on the eastern side of Awakino Road, north to the Awakino tributary should be rezoned ‘new medium density housing’. Rezoning this entire area Residential is not considered to be effective due to natural wetland features, steep topography and the pattern of existing residential zoning. The DSP also anticipates rezoning around the area identified as ‘new medium density housing’ open space, the KDP does not have an open space zone.

Therefore, it is considered that Option 2 is not the most efficient and effective method to achieve the plan change outcomes and objective PREC1-O1.

- **Option 3:** Map the Residential Zone and Precinct based upon cadastral boundaries.

The cadaster boundaries of land within the plan change area do not follow physical features. If the precinct area were to follow the cadaster boundaries large portions of highly productive (existing kumara farms) land to the east would be included within the proposed residential zone. For this primary reason Option 3 is not considered to be efficient or effective.

- **Option 4:** Map the Residential Zone and Precinct based upon topographical and physical features.

Natural wetlands, intermittent and permanent streams, indigenous vegetation and steep topography are present to the south, east and north of the plan change area, while Awakino Road forms a physical boundary to the west. Option 4 would zone the Residential Zone and Precinct to the boundary of these physical features excluding them from being rezoned. It is considered that Option 4 is not efficient and effective because it will not provide the ability to protect and enhance the natural features at the time of development.

Option 5: Map the Residential Zone and Precinct based upon a combination of cadastral boundaries and topographical and physical features (the plan change option).

Option 5 considers a combination of options 4 and 5, this is considered to be the most efficient and effective method, which will avoid the loss of productive rural land, whilst providing the ability to protect and enhance ecological features within the plan change area.

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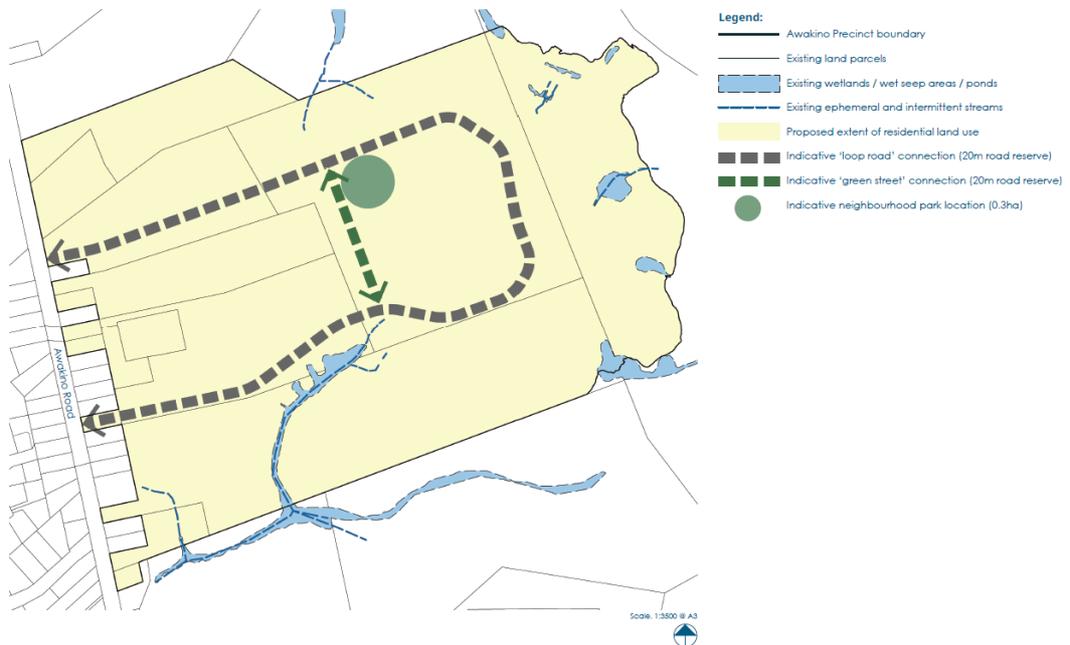


Figure 12 – Precinct Plan – Full Copy Appendix 2

9.5.3 Method – Proposed Precinct Rules

Appendix 11 provides a detailed evaluation of the efficiency and effectiveness of the Residential Zone provisions and the amendments proposed.

9.6 Risk of Acting or Not Acting

In this case, it is considered that there is sufficient information about the subject matter of the provisions to determine the range and nature of environmental effects of the options set out in the evaluation above. For this reason, an assessment of the risk of acting or not acting is not required.

10.0 Conclusion

This report has been prepared in support of MHL’s request for a plan change to the provisions of the KDP. The plan change seeks to rezone the plan change area Residential Zone and apply a bespoke Awakino Precinct, and amend the Residential Chapter in respect of rules that affect the plan change area.

The request has been made in accordance with the provisions of Schedule 1; Section 32 of the Resource Management Act 1991.

Based on an assessment of environmental effects and specialist assessments, it is concluded that the proposed Plan Change will have positive effects on the environment in terms of the social and economic well-being of the community. Other potential effects are able to be managed through the application of the KDP zone and district-wide provisions.

An assessment against the provisions of section 32 of the RMA is provided in section 10 of the report. This includes an analysis with respect to the extent to which the objectives of the plan change are the most appropriate to achieve the purpose of the RMA and an examination of whether the provisions of the plan change are the most appropriate way to achieve the objectives.

For the above reasons, it is considered that the proposed Plan Change accords with the sustainable management principles outlined in Part 2 of the RMA and should be accepted and approved.

Appendix 9 – Assessment of Operative District Plan, Chapter 3 Land Use and Development Strategy, Appendix 3.1

Appendix 3.1 Outcomes	Comment
<p><i>a) Staging</i></p> <p><i>The Structure Plan will demonstrate how development of the Growth Area will be efficiently staged through the progressive construction of infrastructure in cells.</i></p>	<p>The Land Development Report (Appendix 3) has comprehensively assessed the potential infrastructure and servicing demand from the proposed residential zone and future development. This concludes that appropriate infrastructure can be provided at the time of development to avoid, remedy or mitigate potential adverse effects. Due to the scale of the proposed rezoning staging of growth and infrastructure in cells is considered not to be necessary.</p>
<p><i>b) Land Use Business development will generally be encouraged in the Growth Areas, where this land use is of a scale and nature contemplated by existing development. The need and location of any business areas should be considered and as a principle, location of any new business areas should be guided by existing Business Zones and business activity and infrastructure (particularly transport). The Structure Plan should provide justification for the extent and location of land uses.</i></p>	<p>N/A</p>
<p><i>c) Buffer Zones The boundary of any zone should provide for mitigation of effects of adjacent land uses through its location (or through the application of the zone performance standards). In considering the Growth Area in the context of a wider catchment, the Structure Plan will provide appropriate buffers to avoid reverse sensitivity effects and adverse ecological effects. The management of reverse sensitivity effects may include transitional zoning or identification of environmental ‘overlay’ areas to encourage greater setbacks between activities and sensitive environments (for example the Valued Natural Environments of Mangawhai from the Mangawhai Structure Plan).</i></p>	<p>The proposed Awakino Precinct provisions create an appropriate buffer between the proposed Residential Zone and Rural Zone to the east by way precinct mapping and setback provisions.</p>

d) Transport Networks

(i) Rooding Upgrading of the road network shall proceed in tandem with the staged development of the Growth Area and on the wider catchment basis for the Structure Plan area. The identified works shall either be undertaken by developers or funded through development contributions. In particular, consideration should be given to the forming of an appropriate number of new roads to provide efficient vehicle access through the Growth Area, while mitigating effects on the State Highways, and for integration of transport networks with land use. Where development is likely to result in impacts on the roading network, relevant Structure Plans and Plan Changes proposed within Growth Areas will be required to be accompanied by a Traffic Impact Assessment which considers the effects on the roading network, including State Highways and State Highway intersections with local roads. Upgrades to intersections with State Highway 1 will be investigated (in consultation with the NZ Transport Agency and, where applicable, with engagement of Tangata Whenua).

(ii) Pedestrian / Cycle Access The structure planning process shall identify opportunities for pedestrian and cycle links to be provided within the Growth Area, to encourage the use of alternative modes of transport such as walking and cycling. Where appropriate, linkages beyond the Growth Area and to the wider Structure Plan area will also be identified. Pedestrian and cycle links and access will be delivered to avoid the State Highway or any other road becoming a barrier to access within the Growth Area. Subdivision design will be expected to achieve pedestrian friendly streets and safe (Crime Prevention Through Environmental Design) linkages between reserves and the town centre and other community facilities.

Traffic Assessment Report (**Appendix 4**) has been prepared in support of the plan change application and concludes that the proposal will not have adverse effects on the transport network.

It is considered that the proposed provisions are adequate to require any upgrading of the existing transport network, necessary to accommodate the increased traffic, ensuring safe and efficient movement of residents.

<p><i>e) Wastewater</i></p> <p><i>The structure planning process shall include investigations of an appropriate wastewater scheme for the entire Growth Area and how that might be funded. Recognising the limited ability for Council to regulate or enforce on-site measures, the upgrading of any wastewater network should proceed in tandem with the staged development of the Growth Area. Any works shall be undertaken in accordance with the performance standards in the Zone Chapters or the Kaipara District Council Engineering Standards 2011.</i></p>	<p>A Land Development Assessment (Appendix 3) has been prepared in support of the plan change application, this concludes that the proposed rezoning can be appropriately serviced including the requirement to upgrade public reticulated wastewater network at time of development as necessary.</p>
<p><i>f) Water</i></p> <p><i>Within the Growth Area suitable provision for drinking water and fire fighting purposes shall be provided, in accordance with the performance standards in the Zone Chapters or the Kaipara District Council Engineering Standards 2011.</i></p>	<p>A Land Development Assessment (Appendix 3) has been prepared in support of the plan change application, this concludes that the proposed rezoning can be appropriately serviced including the requirement to upgrade public reticulated water network at time of development as necessary.</p>
<p><i>g) Stormwater</i></p> <p><i>Stormwater drainage shall be provided in accordance with the performance standards in the Zone Chapters or the Kaipara District Council Engineering Standards 2011. Stormwater planning should be carried out on a coordinated and comprehensive catchment-wide basis. Although this is primarily the responsibility of Council, consideration should be given to catchment-wide issues by developers at the concept design stage. The Council will encourage development which includes low impact stormwater design and water quality enhancement solutions such as on site storage tanks, vegetated filter strips, grassed swales, rock swales, natural channels; water quality/detention ponds and wetlands are to be used to provide for stormwater management.</i></p>	<p>A Land Development Assessment (Appendix 3) has been prepared in support of the plan change application, this concludes that the proposed rezoning can be appropriately serviced including the requirement to upgrade public reticulated stormwater network at time of development as necessary. The Assessment recommends that the management of stormwater be to a level appropriate to comply with the NPS-FW including a strong focus on low impact design and includes an example Stormwater Management Plan which confirms that a range of low impact devices could be established within the plan change area.</p>
<p><i>h) Other Services and Utilities</i></p> <p><i>The Structure Plan should consider the need for other community facilities e.g. halls, libraries, leisure facilities (swimming pools and sports grounds), public</i></p>	<p>The need for community facilities has been considered within the plan change application. The Urban Design Assessment (Appendix 7) supports the establishment of a neighbourhood park. The proposed Precinct includes policy</p>

<p><i>toilets, playgrounds and picnic tables. These may be funded through a financial / development contribution. The Structure Plan shall provide for telecommunications and power infrastructure. New network utility infrastructure shall be provided in accordance with the performance standards in the Part B Chapters or the Kaipara District Council Engineering Standards 2011. The efficient operation of strategic utilities shall not be unduly compromised by other activities nearby.</i></p>	<p>PREC1-P5 and provision 13.13A to ensure that a neighbourhood park to established within the plan change area to service the future community need for an open space area (playground). The plan change area is located in close proximity to community services and the central business area of Dargaville.</p> <p>The plan change will not compromise the efficient operation of network utilities.</p>
<p><i>i) Natural Hazards</i></p> <p><i>The Structure Plan should show that any natural hazard identified by the Northland Regional Council has been taken into account. In Growth Areas (or parts of Growth Areas) susceptible to natural hazards, investigations shall be undertaken regarding potential impacts on existing and planned infrastructure.</i></p>	<p>The plan change area is not subject to any natural hazards identified by the Northland Regional Council. The Geotechnical Appraisal (Appendix 5) concludes that the plan change area is suitable for residential development.</p>
<p><i>j) Protection of the Kaipara Harbour</i></p> <p><i>The Kaipara Harbour shall be protected through the appropriate provision of wastewater and stormwater management and consideration of appropriate adjacent land uses. The Structure Plan will demonstrate how land disturbance works (vegetation clearance and earthworks) can be managed during the construction phase to avoid the potential for sediment to enter the estuary and Harbour. The Council will encourage the retention of as much existing vegetation as possible. Where vegetation is required to be removed, replanting with similar species will be encouraged. The structure planning will identify any appropriate overlays or policy areas to give effect to the protection of the harbour and ecological values in the Structure Plan Area (e.g. the Valued Natural Environments of Mangawhai in the Mangawhai Structure Plan area). Where appropriate, consultation shall be undertaken with groups having an interest in the Kaipara Harbour, including those exercising Kaitiaki or stewardship over the Harbour, to assist in the on-going restoration of Mauri (life force) to the Harbour.</i></p>	<p>The plan change area is located in proximity to the Awakino River which flows directly to the Kaipara Harbour. As such any future development within the plan change area has the potential to have an effect on the river and harbour.</p> <p>The application is supported by a Land Development Assessment which recommends that the management of stormwater be to a level appropriate to comply with the NPS-FW mitigating potential effects on the water quality of the Awakino River.</p> <p>The proposed Awakino Precinct provisions will apply best practice to stormwater management, erosion and sediment control above and beyond the Kaipara District Council Engineering Standards 2011.</p>

<p><i>k) Open Space</i></p> <p><i>The Structure Plan will demonstrate how reserves will be provided in accordance with the Kaipara District Council Reserves and Open Space Strategy (2006) and identify these areas on the Plans. The Structure Plan will demonstrate how development of the Growth Area, where development is staged, will protect open space in a manner that shows consideration of wider connections, resulting in an overall integrated development.</i></p>	<p>Provision of connectivity and open spaces has been a key urban design element considered by the plan change and the proposed precinct requires the establishment of:</p> <ul style="list-style-type: none"> • A central ‘neighbourhood park’ which is sized and designed in response to both the existing and anticipated number of residents within the local area. • A north-south ‘green street’ which will help to create an ecological corridor between open space areas to the north and south. • Protection and enhancement of the network of ecological features. <p>Pedestrian walking tracks are proposed to create north south connectivity through the plan change area and to the adjacent residential development to the west. The proposed precinct provisions go well beyond that of the KDP and it is considered that the proposed open space and connectivity will positively contribute to the onsite and wider environment amenity, openness and general community wellbeing.</p>
<p><i>l) Ecological Effects</i></p> <p><i>The Structure Plan will demonstrate the use of appropriate techniques to avoid, remedy or mitigate the potential for adverse effects on significant ecological areas (by way of overlay provisions or reserve acquisition). The following information sources will be used to determine significant ecological areas: · Department of Conservation’s published Reconnaissance Survey Reports for the Protected Natural Areas Programme; · Wildland Ecological Assessment (GIS Analysis of the Extent and Distribution of Indigenous Vegetation and Habitats Remaining in Kaipara District, 2006); and · Northland Regional Policy Statement (2002).</i></p>	<p>An Ecological Assessment (Appendix 6) has been prepared in support of the plan change application, this concludes that the plan change, particularly proposed provisions PREC1-P4, 13.10.7 (Setbacks) and 13.13A (Subdivision) will avoid, remedy or mitigate any potential adverse effects on the ecological features within the plan change area.</p>

<p><i>m) Areas of Significance to Maori</i></p> <p><i>The Structure Plan will demonstrate that comprehensive consideration has been given to the potential for adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, including (but not limited to) Maori areas of significance (Chapter 17).</i></p>	<p>The plan change area does include any identified areas of significance to Maori. Further assessment has been completed within the application.</p>
<p><i>n) Subdivision and Development Prior to Structure Planning and Plan Changes Residential and business land use and subdivision within any Growth Area before a structure planning process is undertaken is provided for via existing provisions of the Plan including Integrated Development subdivisions. The assessment criteria for Integrated Development subdivision, requires consideration to be given to the Growth Area Outcomes and demonstration of the following: · 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.</i></p>	<p>N/A</p>
<p><i>o) Historic Heritage Resources</i></p> <p><i>The structure planning process will assist to identify heritage resources within Growth Areas and, through appropriate planning and design, shall provide for their protection as required by the Historic Places Act 1993 and the Resource Management Act 1991.</i></p>	<p>The plan change area does not contain any known historic heritage features, sites or areas of significance to Māori or archaeological sites. It is considered that the plan change will not result in any adverse effects to historic heritage, furthermore the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act will apply to any future development under the proposed Residential Zone.</p>

Appendix 10: Evaluation of alternative options to achieve plan change objectives

Option One: Status Quo (Rural Zone)	Option One: Rezone plan change area KDP Residential Zone and Reserve Management Unit	Option Two: Seek KDP Residential Zone change, with nuanced provisions to allow for a range of living opportunities, intensities and choices.	Option Three: Seek for Residential Zone change via Structure Plan or Urban Development Area.	Option Four: Precinct Plan approach that sits within the KDP Residential Zone.
<p>Benefits:</p> <ul style="list-style-type: none"> - No changes to the KDP necessary. - Existing productive potential of the plan change area can continue to be realised. - Removes the cost of initiating a plan change for the applicant. <p>Costs:</p> <ul style="list-style-type: none"> - Does not address NPS-FM and NES-FM. - KDP format does not align or give effect to Planning Standards. - Does not address the NPS-UD - Residential living capacity and housing choice is not provided, cost of living and housing affordability increased within Dargaville. - Ecological features will not benefit from enhancement and increased protection (afforded by the proposed precinct provisions). 	<p>Benefits:</p> <ul style="list-style-type: none"> - Only requires minor changes to KDP policies and rules. - Plan-users are familiar with approach. - Cost of implementation for Council will be similar to that of existing provisions. - Development contributions for wastewater upgrades or on-site wastewater solution needed to support desired density. - Includes policy framework that puts onus on developer to provide wastewater/infrastructure servicing solution. - The density provisions provide for residential living and development via an integrated residential development. - Ensures consistency of amenity and character of residential zone. <p>Costs:</p> <ul style="list-style-type: none"> - Lack of policy direction for a range of residential intensities and choices, urban design outcomes and RMU units. - Activity status Discretionary and may trigger notification. - Does not address NPS-FM and NES-FM. - KDP format does not align or give effect to Planning Standards. - Urban design outcomes are limited and does not address NPS-UD. - Ecological features will not benefit from enhancement and increased protection (afforded by the proposed precinct provisions). 	<p>Benefits:</p> <ul style="list-style-type: none"> - Only requires minor changes to KDP policies and rules. - Will provide greater certainty for future subdivision proposals when compared to option one. - Cost of implementation for Council will be similar to that of existing provisions. - Development contributions for wastewater upgrades or on-site wastewater solution needed to support desired density. - Includes policy framework for that puts onus on developer to provide wastewater/infrastructure servicing solution. - The density provisions provide for residential living and development via an integrated residential development. - Ensures consistency of amenity and character of residential zone. - Ecological features could benefit from enhancement and increased protection (afforded by nuanced subdivision provisions). <p>Costs:</p> <ul style="list-style-type: none"> - Activity status Discretionary and may trigger notification. - KDP format does not align or give effect to Planning Standards. - Plan-users are unfamiliar with approach. - Not user-friendly for plan users to identify nuanced provisions throughout the Residential Zone. 	<p>Benefits:</p> <ul style="list-style-type: none"> - Certainty of outcomes for Council and applicant. - Certainty of infrastructure provision. - Consistent with Chapter 3 of the KDP. - Positive environmental benefit, open space and public access connections are secured. - This approach can be designed to address higher order policy direction. - Can include provisions to provide for increased residential densities, high level of urban design and protection and enhancement of ecological features. <p>Costs:</p> <ul style="list-style-type: none"> - Costly for applicant and requires detailed investigations to support it. - Can result in inflexible development provisions. - Additional costs for Council to administer. - Inefficient given the scale and scope of the plan change area. - Duplication of the DSP. 	<p>Benefits:</p> <ul style="list-style-type: none"> - Align with higher order policy direction. - Takes into account the KDP provisions, but introduces targeted provisions that will apply to this particular site to manage effects. - Provides certainty of outcomes for the Council and future development. - Will ensure character and amenity of the zone is maintained, whilst enabling a range of densities and living opportunities. - Strong policy direction for a range of residential intensities and choices, urban design outcomes. - Addresses NPS-FM and NES-FM. - Strong urban design outcomes which address NPS-UD. - Ecological features will benefit from enhancement and increased protection (afforded by the proposed precinct provisions). <p>Costs:</p> <ul style="list-style-type: none"> - KDP format does not align or give effect to Planning Standards. - Existing productive potential of the plan change area will be lost. - Cost of initiating a plan change for the applicant and cost to Council to process.

Efficiency and Effectiveness

<p>Whilst this option is an effective and efficient method with respect to the KDP generally. It will not give effect to the objectives of the plan change.</p>	<p>Option 2 will effectively achieve the Residential Zone objectives; however, Option 2 is inefficient as it does actively manage potential effects on ecology, character and amenity required in PREC-O1.</p>	<p>Option 3 will provide an effective method in achieving PREC-O1, however it is not considered to be <u>the most</u> effective and efficient method. In the absence of a precinct map to identify particular features and design outcomes of the plan change</p>	<p>Given the scale and location of the plan change area, combined with information and direction set in the DSP, it is considered that Option 4 would not be the most effective and efficient method in achieving PREC-O1.</p>	<p>Option 5 will provide the most effective and effective method in achieving PREC-O1, because it provides for a precinct map to identify particular features and design outcomes of the plan change. The precinct objectives and policies provide clear and</p>
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<p>This option is ineffective and inefficient and will not achieve PREC-O1 as it will not provide residential living opportunities.</p>	<p>Option 2 is effective in achieving the Residential Zone objectives, but is ineffective in achieving PREC-O1 as it does not enable range of allotment sizes nor does it actively manage potential effects on ecology, character and amenity and is inconsistent with the NPS-FW with respect to management of stormwater.</p>	<p>area, Option 3 will cumbersome and difficult to interpret. As such there is a risk that Option 3 will not effectively achieve PREC-O1.</p>		<p>directive outcomes which clearly link to the proposed methods.</p>
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