



Kaipara te Oranganui

**KAIPARA  
DISTRICT**

Two Oceans Two Harbours

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## Kaipara District Council Open Meeting Agenda

**Date:** Wednesday, 14 December 2022

**Time:** 9.30 am

**Location:** Northern Wairoa War Memorial Hall  
37 Hokianga Road  
Dargaville

**Elected Members:** Mayor Craig Jepson  
Deputy Mayor Jonathan Larsen  
Councillor Mike Howard  
Councillor Gordon Lambeth  
Councillor Ron Manderson  
Councillor Ash Nayyar  
Councillor Pera Paniora  
Councillor Mark Vincent  
Councillor Rachael Williams  
Councillor Eryn Wilson-Collins

*For any queries regarding this meeting please contact  
the Kaipara District Council on (09) 439 7059*



<b>1.</b>	<b>Opening</b>	
1.1	Apologies	
1.2	Conflict of interest declaration	
<b>2.</b>	<b>Public Forum</b>	
2.1	Sam Nepia - Chief Executive of Ngā Puhi	
2.2	Reno Skipper - Chairman of the Te Uri o Hau Settlement Trust	
2.3	Antony Thompson - Te Runanga o Ngāti Whātua	
<b>3.</b>	<b>Notice of Motion</b>	
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**6. Public Excluded agenda items - 14 December 2022**

Chief Executive recruitment

**7. Return to Open Session**

**8. Closure**

6<sup>th</sup> December 2022

To the Chief Executive

Kaipara District Council

Kaipara

### **Notice of Motion**

I hereby give notice of a motion which I request to be included in the agenda for the council meeting to be held on Wednesday the 14<sup>th</sup> of December 2022.

The motion is as follows:

That Kaipara District Council;

- a) Agrees to open and close every full council meeting and briefing in the manner outlined below;
  - i. Chairperson invites an elected member to recognise the civic importance of the occasion through some form of reflection to open the meeting
  - ii. The elected member is selected in alphabetical order by the Chairperson
  - iii. Options for opening a meeting could include; a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting; an expression of community values; a reminder of the contribution of members who have gone before; a formal welcome; or any other method that the elected member chooses
  - iv. The selected elected member may decline to exercise the invitation if he/she so chooses

### **Background**

This motion is based on clause 10 of council's current Standing Orders, which reads as follows:

#### ***10. Opening and closing***

*Local authorities, local boards and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.*

This indicates that there is a discretion to be exercised by the elected membership of the council, and the purpose of this Notice of Motion is to exercise that discretion. I am concerned about the negative publicity which has been swirling around the council since our

last meeting, but this will die down in time. I am more concerned about what will remain: damage to the council's reputation, damage to our relationship with key stakeholders whose support would otherwise have helped us in our future dealings with central government, and who might otherwise have invested in our future, not to mention the agreements which we have already signed with them. My Notice of Motion is a way of respecting and acknowledging diverse viewpoints, resolving this matter and enabling our council to focus more on the host of other issues confronting it.

A handwritten signature in black ink, reading "Mark Vincent". The signature is written in a cursive, flowing style with a small flourish at the end.

Mark Vincent

Otamatea Ward Councillor

# Temporary Road Closures Approval – Welcome to the Jungle 2022 - 2023

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Gordon Whyte, Road Corridor Management Specialist

## Purpose | Ngā whāinga

To seek approval for the application of temporary road closures to facilitate safe event management for the purpose of local events in Kaipara.

## Executive summary | Whakarāpopototanga

Approve the application for temporary road closures to allow the following local events to proceed in a safe manner:

### Welcome to the Jungle

07:00 hours Saturday 18<sup>th</sup> February 2023 to 23:59 hours Sunday 19<sup>th</sup> February 2023

### Settlement Road

**Valley Road** from Settlement Road to Pritchard Road

**Lawrence Road** from Valley Road to Cames Road

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Approve the temporary road closures to facilitate safe event management for the purpose of the following local event in Kaipara:

### Welcome to the Jungle 2022/2023

07:00 hours Saturday 18<sup>th</sup> February 2023 to 23:59 hours Sunday 19<sup>th</sup> February 2023

### Settlement Road

**Valley Road** from Settlement Road to Pritchard Road

**Lawrence Road** from Valley Road to Cames Road

- b) Notes that a condition of approval being the event organisers to do a letter drop to all businesses/residents located within the road closures.

## Context | Horopaki

In terms of the Local Government Act 1974 Schedule 10, 11(e), Council is required to advertise any road closures at least 42 days in advance of an event. The decision to close the road is to be approved by Council under the Local Government Act 1974, s319.

### Welcome to the Jungle

The event will be held on Saturday 18<sup>th</sup> February. Gates open at 11am and ends Sunday 19 February 2023 at 12pm. This will be the sixth year that Fuzen Entertainment have run the festival. The last two years 2020/21 and 2021/22 were cancelled due to covid restrictions. To carry out the festival in a safe manner the applicants have applied to temporarily close Valley Road, Lawrence Road and Settlement Road (already approved) restricting access to residents only.

## Discussion/Ngā kōrerorero

### Welcome to the Jungle

To seek approval from the council to correct this event timing that has been publicly notified in the Kaipara Lifestyler issue dated 28 November 2022 and in the Northern Advocate dated 29 November 2022.

An error was made in advertising this event in relation to road closure timeframes, which is presently being rectified through re-advertisement. No objections have been received following the initial notification period. Any objections received following the re-advertisement period will be appropriately considered and managed through the NTA Corridor Access Team. Based on event history it is not expected that objections will be received.

The proposed traffic management diagram necessitates the temporary closures of Valley Road and Lawrence Road to supplement the approved road closure of Settlement Road, Kaiwaka as shown on the proposed Traffic Management Diagram (**Attachment A**). The proposed Traffic Management Plan requires the roads to be closed from Saturday 18 February 2023 at 07:00am until Sunday 19 February 2023 at 23:59pm for the implementation of temporary traffic management set up, event management and break down of signs and equipment.

The closure of these road will assist with any previous nuisance experienced by the local residents located within the closures. In the past, council has received complaints regarding security issues and noise control. Fuzen Entertainment has worked proactively with council staff to improve their communication with the residents and increase the security of this event. This year Fuzen Entertainment are implementing no stop zones along the roads around the event to ensure there are no security issues to prevent event goers from wandering through resident properties.

Resident access will be managed by using a sticker and code system. The event organisers will distribute stickers to households (as many as they require) and they will also run a code system to enable guests of residents to access the area.

This event has been publicly notified in the Kaipara Lifestyler issue dated 28 November 2022 and in the Northern Advocate dated 29 November 2022. No objections have been received during the notification period.

### Options:

**Option A:** Approve each application for temporary road closures.

By choosing option A, the council can allow for a safer event for the community, event participants and road users.

**Option B:** Decline each application for the temporary road closure.

Declining applications would be a step in the opposite direction as the Local Authority, Council has an obligation to provide a safe environment for event participants. If the application is declined, it will have a negative financial effect on local businesses and residents located in and around the event area.

The recommended option is Option A.

### Policy and planning implications

Local Government Act 1974, s319 – General powers of Council in respect of roads.

Section 319(1)(h) includes “to stop or close any road or part thereof in the manner and upon the conditions set out in s342 and Schedule 10”

### Financial implications

The applicant will bear all costs of temporarily closing the road.

### Risks and mitigations

There are no major risks associated with the decisions or matters outlined in this report.

## Significance and engagement/Hirahira me ngā whakapāpā

The public have been informed of the applications.

## Next steps/E whaiake nei

Advise the applicant of the council's decision. If approved, give public notice and advise stakeholders of the decision to close roads under Clause 11a of Schedule 10 of the Local Government Act 1974. Applicant to undertake letter drop to all residents/businesses located in and around the closure.

## Attachments | Ngā tapiritanga

	Title
A	Traffic Management Plan – Welcome to the jungle



## TRAFFIC MANAGEMENT PLAN (TMP) – FULL FORM

Use this form for complex activities. Refer to the NZ Transport Agency's Traffic control devices manual, part 8 Code of practice for temporary traffic management (CoPTTM), section E, appendix A for a guide on how to complete each field.

<b>Organisations /TMP reference</b>	<b>TMP reference:</b>	<b>Contractor (Working space):</b> 	<b>Principal (Client):</b> 				
		<b>Contractor (TTM):</b> 	<b>RCA:</b> 				
<b>Location details and road characteristics</b>	<b>Road names and suburb</b>		<b>House no./RPs (from and to)</b>	<b>Road level + Cat</b>	<b>Permanent speed</b>		
	State Highway 1, Kaiwaka		01N-0319-B 8.753 to 01N-0319B 9.106	1, B	80/100		
	Settlement Road, Kaiwaka		Full Length	1, B	70/80		
	Kaiwaka-Mangawhai Road, Kaiwaka		Rp. 3.177 to Rp 7.306	1, B	80		
	Valley Road, Kaiwaka		Rp. 0.000 to 0.322	1, B	80		
<b>Traffic details (main route)</b>	<b>AADT</b>		<b>PEAK FLOWS (weekdays and non-public holidays)</b>				
	706 - Settlement Road		<b>Level 1:</b> 0600 – 0800 hrs. and 1700 – 1900 hrs. <b>Level 2:</b> 0600 – 0900 hrs. and 1600 – 1900 hrs.				
<b>DESCRIPTION OF WORK ACTIVITY</b>							
Welcome To The Jungle: R18 outdoor drum and bass festival Patrons will have the option to either camp onsite or have a day pass. Bus Passes will also will be available							
<b>PLANNED WORK PROGRAMME</b>							
<b>Start date</b>	17/02/2023	<b>Time (hrs)</b>	09:00	<b>End date</b>	20/02/2023	<b>Time (hrs)</b>	20:00
<b>Consider significant stages, for example:</b> <ul style="list-style-type: none"> <li>road closures</li> <li>detours</li> <li>no activity periods.</li> </ul>	<ul style="list-style-type: none"> <li>TTM will be pre-set the closure from 0900am on the 17<sup>th</sup> and will be removed by 2000pm on the 20<sup>th</sup></li> <li>Road Closure will be in place from 0700am Saturday 18<sup>th</sup> to 12pm Sunday 19<sup>th</sup></li> <li>Stop Go outside the event on Settlement Road will run from 0700am Saturday 18<sup>th</sup> to 0200am 19<sup>th</sup></li> <li>Stop Go on Kaiwaka-Mangawhai Road will be used on Sunday only 0700am to 1200pm</li> <li>STMS to text 0273344221 upon setup and pack down on the TTM site;</li> <li>STMS to send photo of the completed OSR at the end of each day 19,20 &amp; 21 February.</li> <li>On Pack down day a confirmation text to be sent to TMC to confirm all TTM hardware has been collected and removed from site and standard road conditions have been returned to normal. STMS to take photos of clear site and a full report to be sent via email on the Monday before midday. A council representative will carry out an inspection of the site on Monday.</li> </ul>						

Alternative dates if activity delayed	N/A				
<b>ROAD ASPECTS AFFECTED</b>					
Pedestrians affected?	No	Property access affected?	Yes	Traffic lanes affected?	Yes
Cyclists affected?	No	Restricted parking affected?	Yes	Delays or queuing likely?	Yes
<b>PROPOSED TRAFFIC MANAGEMENT METHODS</b>					
<b>Installation</b> (includes parking of plant and materials storage)	<p>Installation will be via a mobile operation with the following methodology:</p> <ol style="list-style-type: none"> <li>1. A site drive through will be conducted first to confirm layout, conditions and environment are all appropriate for works to proceed.</li> <li>2. Advanced warning signage will be installed first (on the left), followed by progressive signage installation in a 'loop' fashion around the site area</li> <li>3. Vehicle positioning will be as far to the left as practical and the installation vehicle will be stationary at the installation of each sign, with activity occurring only on the non-traffic side of the vehicle.</li> <li>4. Once ALL signage for the site is installed delineation installation may commence</li> <li>5. The worksite delineation will be installed next, where possible by the working vehicle parking inside the work area and cones installed from within that closed area.</li> </ol> <p>Once all delineation is installed and worksite area is available – a final full site check will be conducted (to be recorded on the on-site record) before worksite activity will commence in the working space</p>				
<b>Attended (day)</b>	<p>Refer to the attached <b>TMD# 01 - 05</b> for attended site layout.</p> <p>TC will always assist residents with access to their properties.</p> <p>No Parking on the roads around the site, Parking will be provided on-site with overflow parking located down the road on settlement road.</p> <p>All site checks and or changes to be recorded on the "on site record"</p> <p>STMS to be onsite at all times as required</p>				
<b>Attended (night)</b>	<p>Refer to the attached <b>TMD# 01 - 05</b> for attended site layout.</p> <p>TC will always assist residents with access to their properties.</p> <p>No Parking on the roads around the site, Parking will be provided on-site with overflow parking located down the road on settlement road.</p> <p>All site checks and or changes to be recorded on the "on site record"</p> <p>STMS to be onsite at all times as required</p>				
<b>Unattended (day)</b>	<p>Refer to the attached <b>TMD# 01 - 05</b> for attended site layout.</p> <p>TC will always assist residents with access to their properties.</p> <p>No Parking on the roads around the site, Parking will be provided on-site with overflow parking located down the road on settlement road.</p> <p>All site checks and or changes to be recorded on the "on site record"</p> <p>STMS to be onsite at all times as required</p>				
<b>Unattended (night)</b>	<p>Refer to the attached <b>TMD# 01 - 05</b> for attended site layout.</p> <p>TC will always assist residents with access to their properties.</p> <p>No Parking on the roads around the site, Parking will be provided on-site with overflow parking located down the road on settlement road.</p> <p>All site checks and or changes to be recorded on the "on site record"</p> <p>STMS to be onsite at all times as required</p>				

## POSITIVE TRAFFIC MANAGEMENT MEASURES

Positive traffic management measures will be installed by the STMS in order to control vehicle speeds, increase public awareness and reduce disruption by providing 'clear and positive guidance'.

#### **Additional Delineation**

Additional cones may be placed on centerlines, edgelines or shoulders to increase impact of the activity and reduce vehicle speed. Including side friction below



#### **Further Methods**

- Staff will be positioned at strategic locations where they are visible to the driving public and pedestrians, and responsive to the changing hazards of the site.
- If there are nearby controlled intersections, ATOC may be engaged to modify traffic light phasing to suit the operation in place and minimise disruption and maximize safe driving behavior.
- If queuing or unforeseen disruption occurs, additional advanced signage may be used a further sign spacing (or more) outside the required advanced warning signage to promote awareness further from the site boundary.

**Police assistance may be sought if excess speed is a significant issue and presents a real and immediate danger to the activity or the public. Work may be suspended if driver behaviour at any time presents excess risk.**

### **CONTINGENCY PLANS**

<b>Generic contingencies for:</b>	<b>Major Incident</b>	<b>Actions</b>
<ul style="list-style-type: none"> <li>• major incidents</li> <li>• incidents</li> <li>• pre planned detours.</li> </ul> <p><i>Remove any options which do not apply to your job</i></p>	<p>A major incident is described as:</p> <ul style="list-style-type: none"> <li>• Fatality or notifiable injury - real or potential</li> <li>• Significant property damage, or</li> <li>• Emergency services (police, fire, etc) require access or control of the site.</li> </ul>	<p>The STMS must immediately conduct the following:</p> <ul style="list-style-type: none"> <li>• stop all activity and traffic movement</li> <li>• secure the site to prevent (further) injury or damage</li> <li>• contact the appropriate emergency authorities</li> <li>• render first aid if competent and able to do so</li> <li>• notify the RCA representative and / or the engineer</li> <li>• under the guidance of the officer in charge of the site, reduce effects of TTM on the road or remove the activity if safe to do so</li> <li>• re-establish TTM and traffic movements when advised by emergency authorities that it is safe to do so</li> <li>• Comply with any obligation to notify WorkSafe.</li> </ul>

	<p><b>Incident</b></p> <p>An incident is described as:</p> <ul style="list-style-type: none"> <li>excessive delays - real or potential</li> <li>minor or non-inquiry accident that has the potential to affect traffic flow</li> <li>structural failure of the road.</li> </ul>	<p><b>Actions</b></p> <p>The STMS must immediately conduct the following:</p> <ul style="list-style-type: none"> <li>stop all activity and traffic movement if required</li> <li>secure the site to prevent the prospect of injury or further damage</li> <li>notify the RCA representative and / or the engineer</li> <li>STMS to implement a plan to safely remove TTM and to establish normal traffic flow if safe to do so</li> <li>re-establish TTM and traffic movements when it is safe to do so and when traffic volumes have reduced.</li> </ul>
	<p><b>Detour</b></p> <p>If because of the on-site activity it will not be possible to remove or reduce the effects of TTM once it is established a detour route must be designed. This is likely for:</p> <ul style="list-style-type: none"> <li>excessive delays when using an alternating flow design for TTM</li> <li>redirecting one direction of flow and / or</li> <li>total road closure and redirection of traffic until such time that traffic volumes reduce and tailbacks have been cleared.</li> </ul> <p>The risks in the type of work being undertaken, the risks inherent in the detour, the probable duration of closure and availability and suitability of detour routes need to be considered.</p> <p>The detour and route must be designed including:</p> <ul style="list-style-type: none"> <li>pre-approval from the RCA's whose roads will be used or affected by the detour route</li> <li>ensure that TTM equipment for the detour—signs etc are on site and pre-installed.</li> </ul>	<p><b>Actions</b></p> <p>When it is necessary to implement the pre-planned detour the STMS must immediately undertake the following:</p> <ul style="list-style-type: none"> <li>Notify the RCA and / or the engineer when the detour is to be established</li> <li>Drive through the detour in both directions to check that it is stable and safe</li> <li>Remove the detour as soon as it practicable and safe to do so and the traffic volumes have reduced and tailbacks have cleared</li> <li>Notify the RCA and / or the engineer when the detour has been disestablished and normal traffic flows have resumed.</li> </ul>
	<p><b>Note also the requirements for no interference at an accident scene:</b></p> <p>In the event of an accident involving serious harm the STMS must ensure that nothing, including TTM equipment, is removed or disturbed and any wreckage article or thing must not be disturbed or interfered with, except to:</p> <ul style="list-style-type: none"> <li>save a life of, prevent harm to or relieve the suffering of any person, or</li> <li>make the site safe or to minimize the risk of a further accident; or</li> <li>maintain the access of the general public to an essential service or utility, or</li> <li>prevent serious damage to or serious loss of property, or</li> <li>follow the direction of a constable acting in his or her duties or act with the permission of an inspector.</li> </ul>	

**Other contingencies to be identified by the applicant**  
(i.e. steel plates to quickly cover excavations)

#### Weather

Sustained bad weather resulting in reduced visibility (less than clear sight distance) will result firstly in bolstering of delineation if possible, to provide better worksite visibility.

Whilst this occurs every effort will be made to remove the closure however if it is hazardous to open to road (i.e. immobile work vehicles/excavation etc. still remain) work may cease and as much cleared from the worksite as possible to reduce risk. TMO/STMS staff equipped with glow wands may also be employed from safe positions to caution approaching drivers if visibility is a concern.

If bad weather that reduces visibility or creates a hazardous environment is present at the time the closure is due to be installed, the closure may be delayed or canceled if the weather does not improve.

#### Excess traffic delays (more than 5 minutes)

Delays are unlikely however in the event of congestion; effort will be made to open additional lane space in the direction of most delay by minimising the work area and attempting to open further drivable area to the public.

#### Work running late

Hold points, milestones and 'last safe moments' will be utilised throughout the operation to ensure closure removal times are not breached. In the event of breakdown or unforeseen circumstance, the contingency of 'excess traffic delays' above will apply along with informing the RCA immediately. The priority will be given to the opening of lane width as soon as safe to do so, followed by vehicle recovery, followed by TTM equipment removal.

**Notification to be done to Auckland Transport (09 355 3553) and ATOC.**

#### Emergency Vehicle Access / Movements or On Site Emergency

Emergency vehicles will be given the right of way at all times and will be assisted through emergency stop/go activity or the use of the onsite TTM vehicle if appropriate and required. Emergencies onsite or nearby will first be made safe, then if appropriate moved from any live lanes, then attended to in detail with an emergency modified TTM setup by the STMS if required.

### AUTHORISATIONS

Parking restriction(s) alteration authority	Will controlled street parking be affected?	No	Has approval been granted?	N/A
	No parking signage to be installed prior to commencement of works if necessary, no vehicles will be towed.			
Authorisation to work at permanent traffic signal sites	Will portable traffic signals be used or permanent traffic signals be changed?	No	Has approval been granted?	N/A
	STMS to notify ATOC or SCATS on 09 927 9757 prior to commence of work to alter traffic signals, if required.			
Road closure authorisation(s)	Will full carriageway closure continue for more than 5 minutes (or other RCA stipulated time)?	No	Has approval been granted?	N/A
	Email sent to RoadNotice@at.govt.nz			
Bus stop relocation(s) – closure(s)	Will bus stop(s) be obstructed by the activity?	No	Has approval been granted?	N/A
Authorisation to use portable traffic signals	Make, model and description/number	N/A		
	NZTA compliant?	N/A		

### EED

Is an EED applicable?	No	EED attached?	N/A
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### DELAY CALCULATIONS/TRIAL PLAN TO DETERMINE POTENTIAL EXTENT OF DELAYS

Will not exceed more than 5 minutes

### PUBLIC NOTIFICATION PLAN

Contractor should notify the affected businesses/residents in the area through a letter drop explaining the work activity and working hours including site contact.

Public notification plan attached?	No
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### ON-SITE MONITORING PLAN

**Attended**  
(day and/or night)

STMS will always be contactable via 0800 424 387

First full site inspection to occur immediately following site establishment and be recorded on the onsite record. Subsequent site inspections to occur every 2 hours thereafter (or more frequently if degradation is a concern).

**Category A or B Road**

The STMS, TMO (or TC on Level 1 or LV roads) to whom the STMS has delegated worksite control, must be on-site at all times on an attended worksite.

During the period of delegation to a TMO or TC on Level 1 or LV roads or for unattended worksites the STMS must be within the following requirements:

Road Type	Attended worksite delegated to a TMO (or TC)
Category A & B (Level 1 & 2LS)	30 minutes travel time of each worksite
Category A & B Under 500 vpd (Level L)	60 minutes travel time of each worksite

To ensure CoPTTM requirements are met, any attended worksite that has been delegated to a TMO or TC on Level 1 or LV roads must be inspected by the STMS:

- for worksites in place for a full day or longer the worksite must be inspected, at least on a daily basis
- where a TMO or TC on Level 1 or LV roads is in charge of static or mobile activities that move from worksite to worksite within a day the STMS must inspect one of the worksites on a daily basis.

These worksite inspections must be documented by the STMS.

**Category C**

The STMS must be present at an attended worksite at all times except during a drive through when the STMS may need to leave the worksite. In this case the STMS may be away from the worksite for up to 30 minutes.

**Unattended**  
(day and/or night)

STMS will always be contactable via 0800 424 387

The site must remain in an acceptable standard at all times. The STMS must identify the appropriate unattended site check frequency based on the following factors:

- Weather (High winds, rain or similar)
- Traffic Flows volumes and movements
- Pedestrian volumes and movements
- Amount of unattended equipment and its proximity to live traffic and pedestrians
- Type of Traffic Management Operation and its impact on the carriageway

As a minimum, unattended shoulder closures will have a recorded site inspection no less frequently than once every 24 hours. The presence of multiple factors of the above list will require this frequency to be increased.

Consecutive working days will not require an overnight site check in-between, however, before leaving site, the STMS will ensure; that all open trenches/excavations are fenced, plated or backfilled, and that plant, equipment or materials are located at least 5m from the live lane (or preferably removed) wherever possible.

Before leaving the site the STMS must:

- Reduce the size of the worksite as much as possible
- Sweep any loose material
- Check that all signs are ballasted and positioned correctly
- Check that all cones are clean and positioned correctly

Upon leaving site the STMS is to make the final judgement on the frequency of unattended checks required if there is longer than a 24hour unattended period.

**METHOD FOR RECORDING DAILY SITE TTM ACTIVITY**

The company managing on site TTM will be responsible for:

- Complete hazard identification before setting up the site
- STMS to undertake full site inspections every 2 hours (or more frequently if degradation is a concern) and record on the onsite record
- Daily Closure sheet compiled by the STMS onsite and held as a record by Chevron Traffic Services

**SITE SAFETY MEASURES**

- If queuing or unforeseen interruption occurs, additional advanced warning signs may be installed to provide awareness to public of the upcoming disruption outside of the normal site boundary.
- Manual Traffic Controllers to be in RT contact at all times.
- All permanent signage that no longer applies during the work phase must be covered to avoid confusion.
- Advance Warning and Protection should be implemented when required.
- Mobile vehicles will be fitted with Amber Flashing Beacons
- Site should always be implemented in accordance with the 'Approved TMP'.
- All TTM signage and equipment used on site should be compliant with CoPTTM 4th Ed Section B.
- All TTM signage must be removed upon completion of site.
- A first aid responder is to be nominated for any medical emergency that may arise onsite.

Temporary safety barrier system	Will a temporary safety barrier system be used at this worksite?	No	If yes, has the temporary safety barrier system been designed by an installation designer and independently reviewed as being fit for purpose?	N/A
	Statement from temporary safety barrier installation designer attached?			N/A


### OTHER INFORMATION

- Copy of approved TMP must always be available on-site when the worksite is attended, and be available for inspection by the RCA, Engineer, New Zealand Police or WorkSafe NZ registered inspector.
- Pedestrian ramps must be used where applicable and be no steeper than one vertical in eight horizontal

### SITE SPECIFIC LAYOUT DIAGRAMS


Number	Title
01	Overview and Event Direction Signage
02	Event Phase
03	Exit Phase
04	No Parking
05	Speedhumps
06-07	Mobile Installation – Setup & Removal

### CONTACT DETAILS

	Name	24/7 contact number	CoPTTM ID	Qualification	Expiry date
Principal	Etienne Marais (FUZEN ENTERTAINMENT) <i>et@fuzen.co.nz</i>	021 222 3666	N/A	N/A	N/A
TMC	Wendy Campbell – Kaipara District Paul Morgan – NZTA	027 334 4221 027 241 7635	N/A	N/A	N/A
Engineers' representative	N/A		N/A	N/A	N/A
Contractor	Etienne Marais (FUZEN ENTERTAINMENT) <i>et@fuzen.co.nz</i>	021 222 3666	N/A	N/A	N/A
STMS		0800 424 387	53299	L2/3 P	26/05/23
	Adam Barclay- Operations Manager	0800 424 387	68541	A/B/A P	12/06/24
	Ryan Toki - Planning Manager	0800 424 387	42397	A/B P	31/08/24
	Ben Whipp - Shift Manager				
TC	Actual onsite contact of the STMS & TMO will be provided to the RCA on request when required				

Others as required	TTM Provider: CHEVRON TRAFFIC SERVICES	0800 424 387			
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### TMP PREPARATION

	Name (STMS qualified)	Date	Signature	ID no.	Qualification	Expiry date
	William Petersen	16/11/2022	<i>Wpetersen</i>	74159	TTMP	18/06/23

This TMP meets CoPTTM requirements

Number of diagrams attached

05

TMP returned for correction (if required)	Name	Date	Signature	ID no.	Qualification	Expiry date

Engineer/TMC to complete following section when approval or acceptance required

Temporary safety barrier system	The attached temporary road safety barrier design has been independently reviewed as being fit for purpose	Not required
---------------------------------	--	--------------

TMP Approved	Name	Date	Signature	ID no.	Qualification	Expiry date
Acceptance by TMC (only required if TMP approved by engineer)	Name	Date	Signature	ID no.	Qualification	Expiry date

### Qualifier for engineer or TMC approval

Approval of this TMP authorises the use of any regulatory signs included in the TMP or attached traffic management diagrams.

This TMP is approved on the following basis:

1. To the best of the approving engineer's/TMC's judgment this TMP conforms to the requirements of CoPTTM.
2. This plan is approved on the basis that the activity, the location and the road environment have been correctly represented by the applicant. Any inaccuracy in the portrayal of this information is the responsibility of the applicant.
3. The TMP provides so far as is reasonably practicable, a safe and fit for purpose TTM system.
4. The STMS for the activity is reminded that it is the STMS's duty to postpone, cancel or modify operations due to the adverse traffic, weather or other conditions that affect the safety of this site.

### Notification to TMC prior to occupying worksite/Notification completed

Type of notification to TMC required		Notification completed	Date
			<input type="text"/>
			Time <input type="text"/>

ON-SITE RECORD			Today's date
On-site record must be retained with TMP for 12 months.			
Location details	Road names(s):	House number/RPs:	Suburb:

WORKING SPACE	
Person responsible for working space	
Name	Signature
Where the STMS/TC is responsible for both the working space and TTM they sign above and in the appropriate TTM box below	

TTM					
STMS in charge of TTM	Name	TTM ID Number	Warrant expiry date	Signature	Time
Worksite handover accepted by replacement STMS	Name	ID Number	Warrant expiry date	Signature	Time
	Tick to confirm handover briefing completed				

DELEGATION					
Worksite control accepted by TC/STMS-NP	Name	ID Number	Warrant expiry date	Signature	Time
	Tick to confirm briefing completed				

TEMPORARY SPEED LIMIT						
Street/road name (RPs or street numbers):		TSL action	Date:	Time:	TSL speed:	Length of TSL (m):
From: To:		TSL installed				
		TSL remains in place				
		TSL removed				
Street/road name (RPs or street numbers):		TSL action	Date:	Time:	TSL speed:	Length of TSL (m):
From: To:		TSL installed				
		TSL remains in place				
		TSL removed				
Street/road name (RPs or street numbers):		TSL action	Date:	Time:	TSL speed:	Length of TSL (m):
From: To:		TSL installed				
		TSL remains in place				
		TSL removed				
Street/road name (RPs or street numbers):		TSL action	Date:	Time:	TSL speed:	Length of TSL (m):
From: To:		TSL installed				
		TSL remains in place				
		TSL removed				

# WORKSITE MONITORING

TTM to be monitored and 2 hourly inspections documented below.

Items to be inspected	TTM set-up	2 hourly check	2 hourly check	2 hourly check	2 hourly check	2 hourly check	TTM removal
High-visibility garment worn by all?							
Signs positioned as per TMP?							
Conflicting signs covered?							
Correct delineation as per TMP?							
Lane widths appropriate?							
Appropriate positive TTM used?							
Footpath standards met?							
Cycle lane standards met?							
Traffic flows OK?							
Adequate property access?							
Barrier deflection area is clear?							
<i>Add others as required</i>							
<b>Time inspection completed:</b>							
<b>Signature:</b>							
<b>Comments:</b>							
<b>Time</b>	<b>Adjustment made and reason for change</b>						

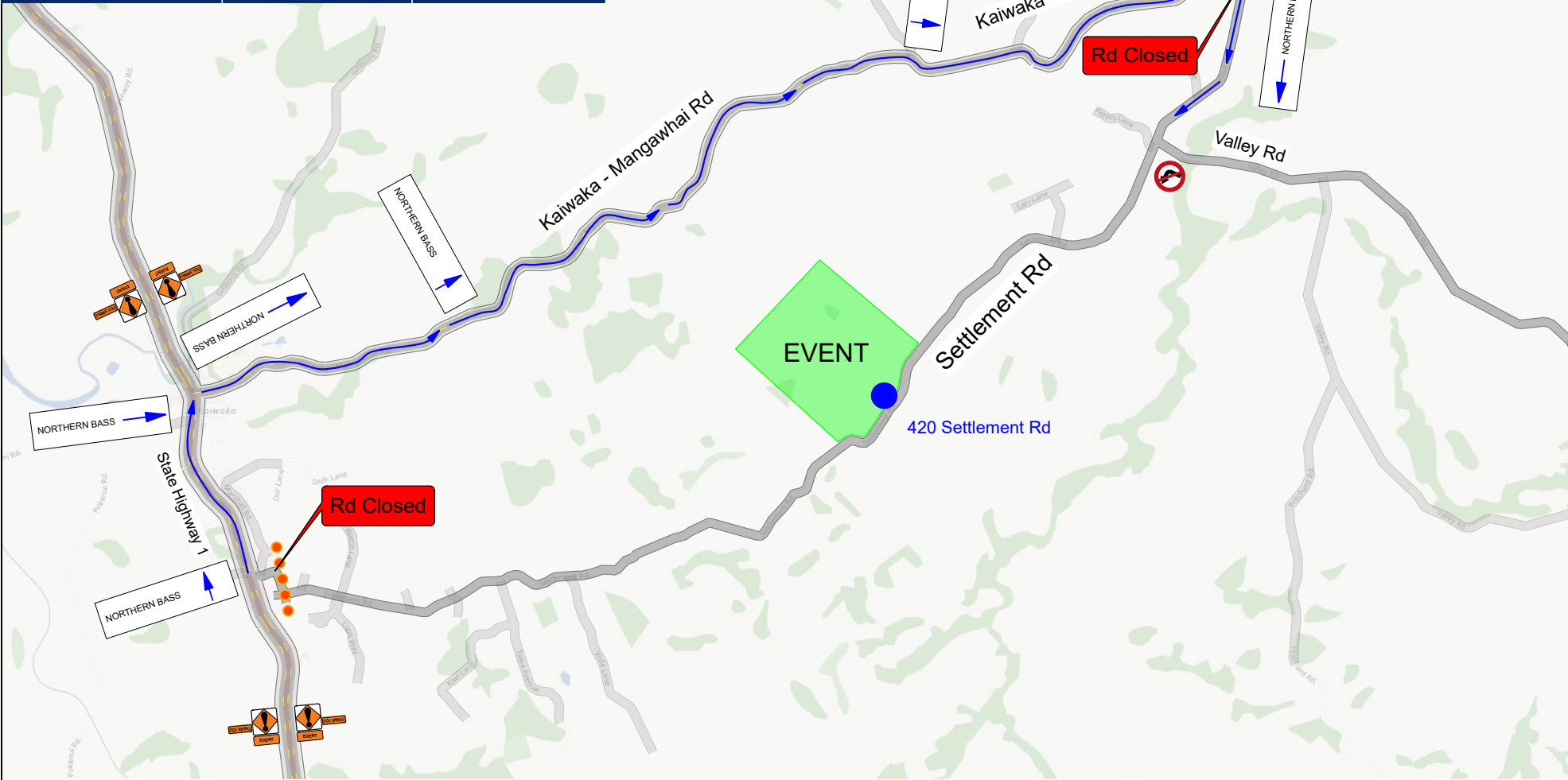


This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.

Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

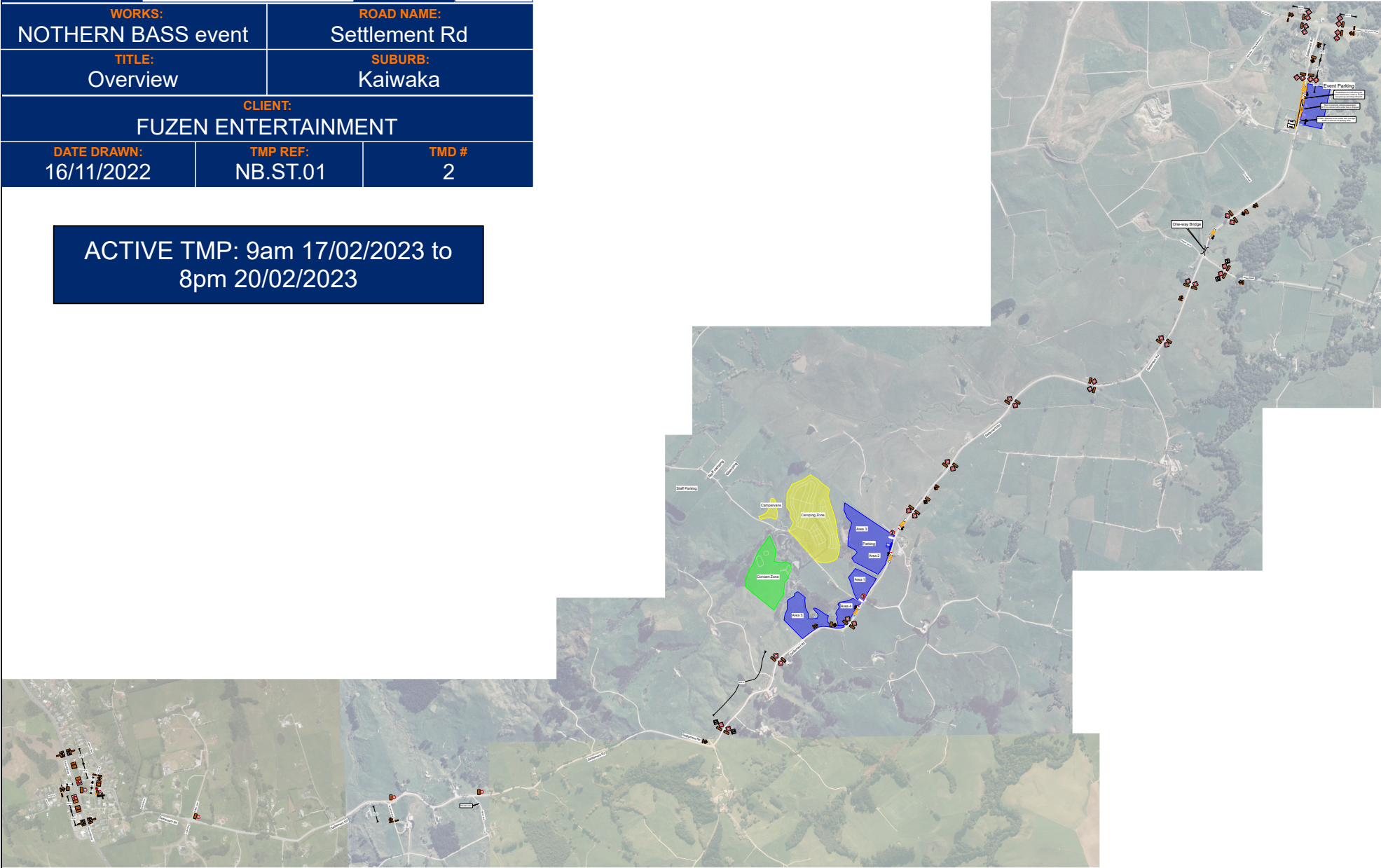
Work Zone  
Safety Zone  
Cones

WORKS: NORTHERN BASS event		ROAD NAME: Settlement Rd
TITLE: Overview		SUBURB: Kaiwaka
CLIENT: FUZEN ENTERTAINMENT		
DATE DRAWN: 16/11/2022	TMP REF: NB.ST.01	TMD # 1



	This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.		Designed by: Brent Clarke ID #120490 Level 2/3 STMS Exp: 01/03/22	<div>Work Zone</div> <div>Safety Zone</div> <div>Cones</div>
	WORKS: NOTHERN BASS event		ROAD NAME: Settlement Rd	
TITLE: Overview		SUBURB: Kaiwaka		
CLIENT: FUZEN ENTERTAINMENT				
DATE DRAWN: 16/11/2022	TMP REF: NB.ST.01		TMD # 2	

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023





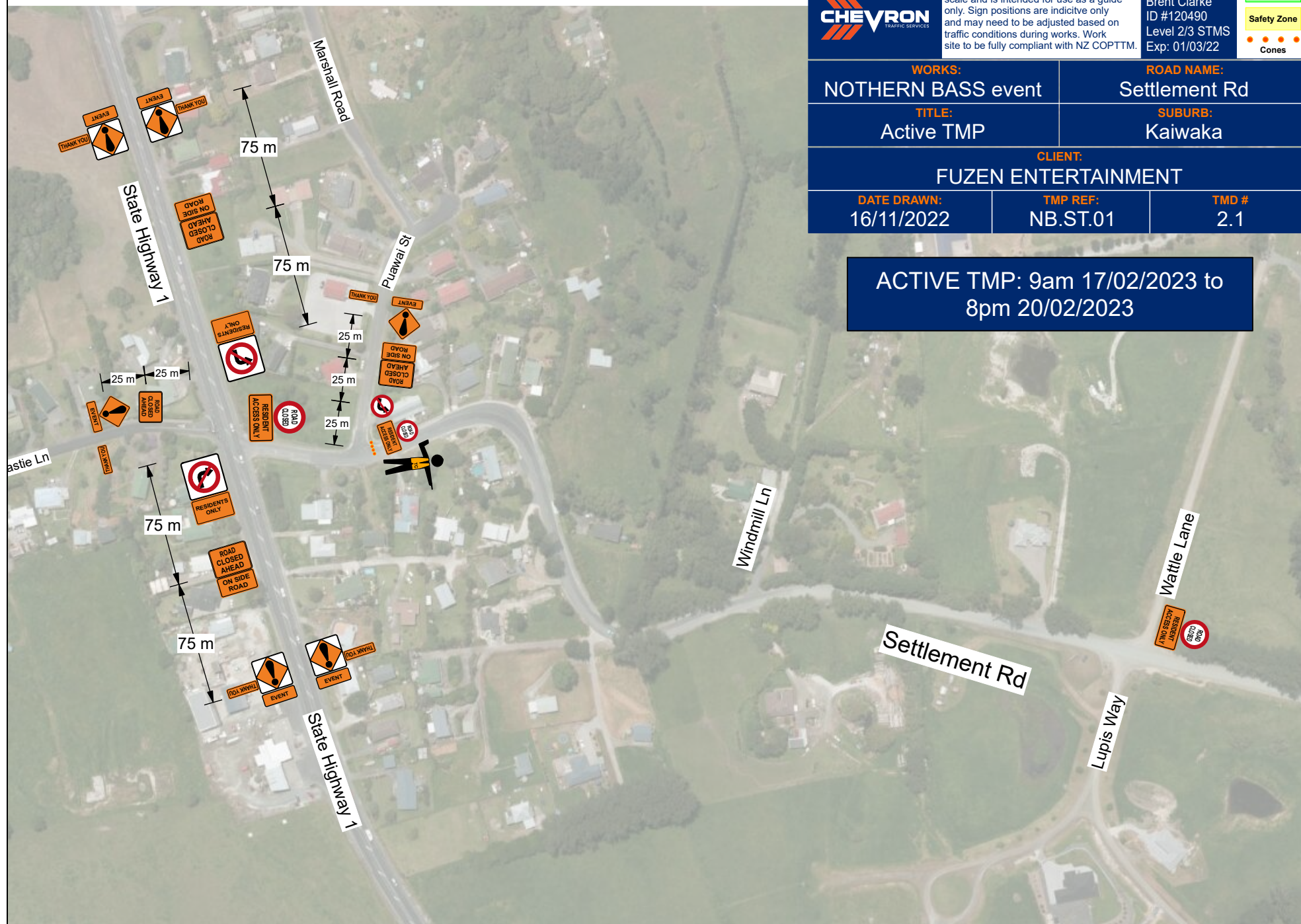
This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.

Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone  
Safety Zone  
Cones

<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 2.1

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
<b>TMD #</b> 2.2	

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone



<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 2.3

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 2.4

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023

Settlement Rd



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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

WORKS: NOTHERN BASS event		ROAD NAME: Settlement Rd	
TITLE: Active TMP		SUBURB: Kaiwaka	
CLIENT: FUZEN ENTERTAINMENT			
DATE DRAWN: 16/11/2022	TMP REF: NB.ST.01	TMD # 2.5	

ACTIVE TMP: 7am March 20th to  
2am March 21st





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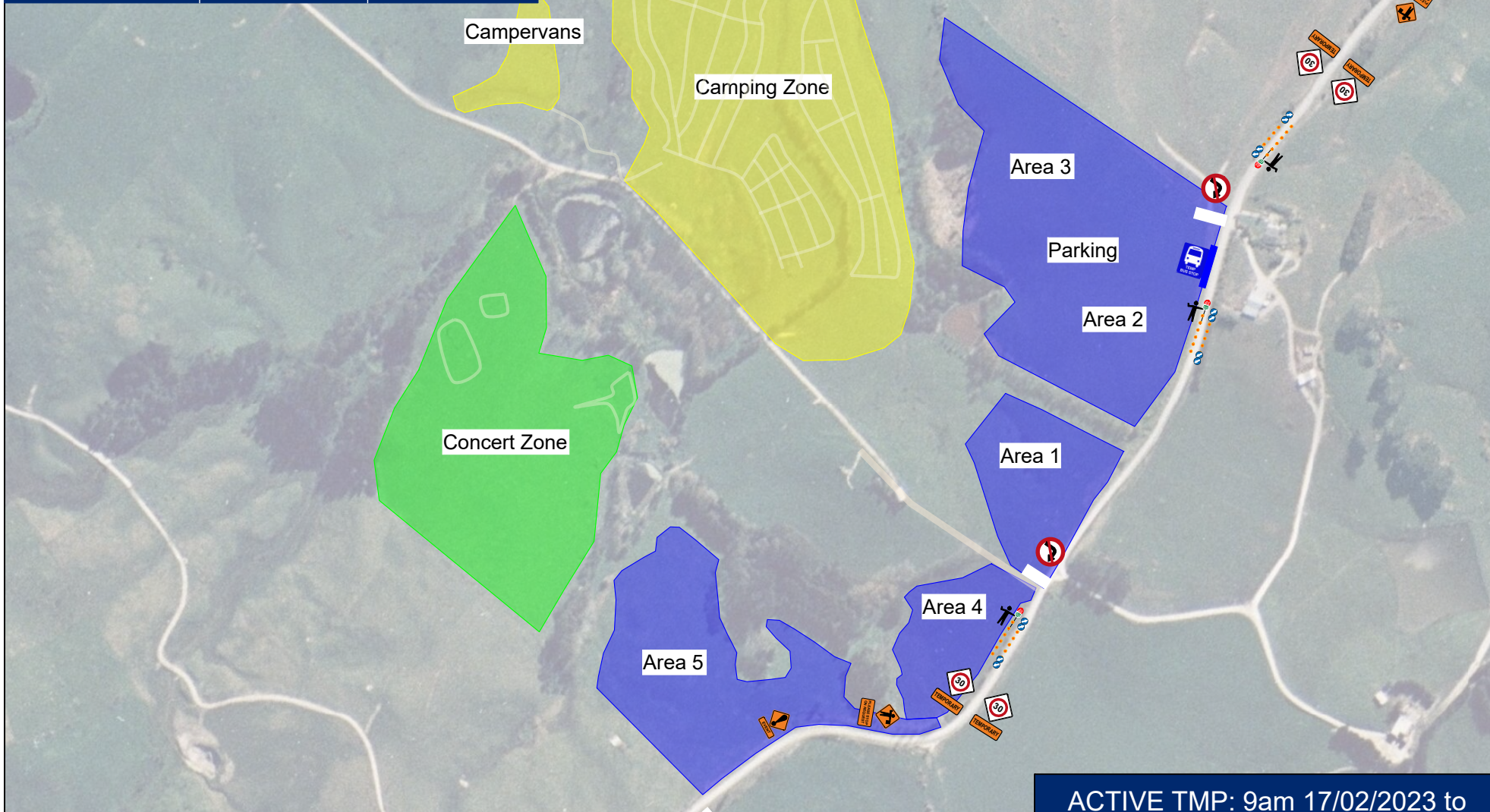
Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

WORKS: NOTHERN BASS event		ROAD NAME: Settlement Rd	
TITLE: Active TMP		SUBURB: Kaiwaka	
CLIENT: FUZEN ENTERTAINMENT			
DATE DRAWN: 16/11/2022	TMP REF: NB.ST.01		TMD # 2.6



ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023



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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

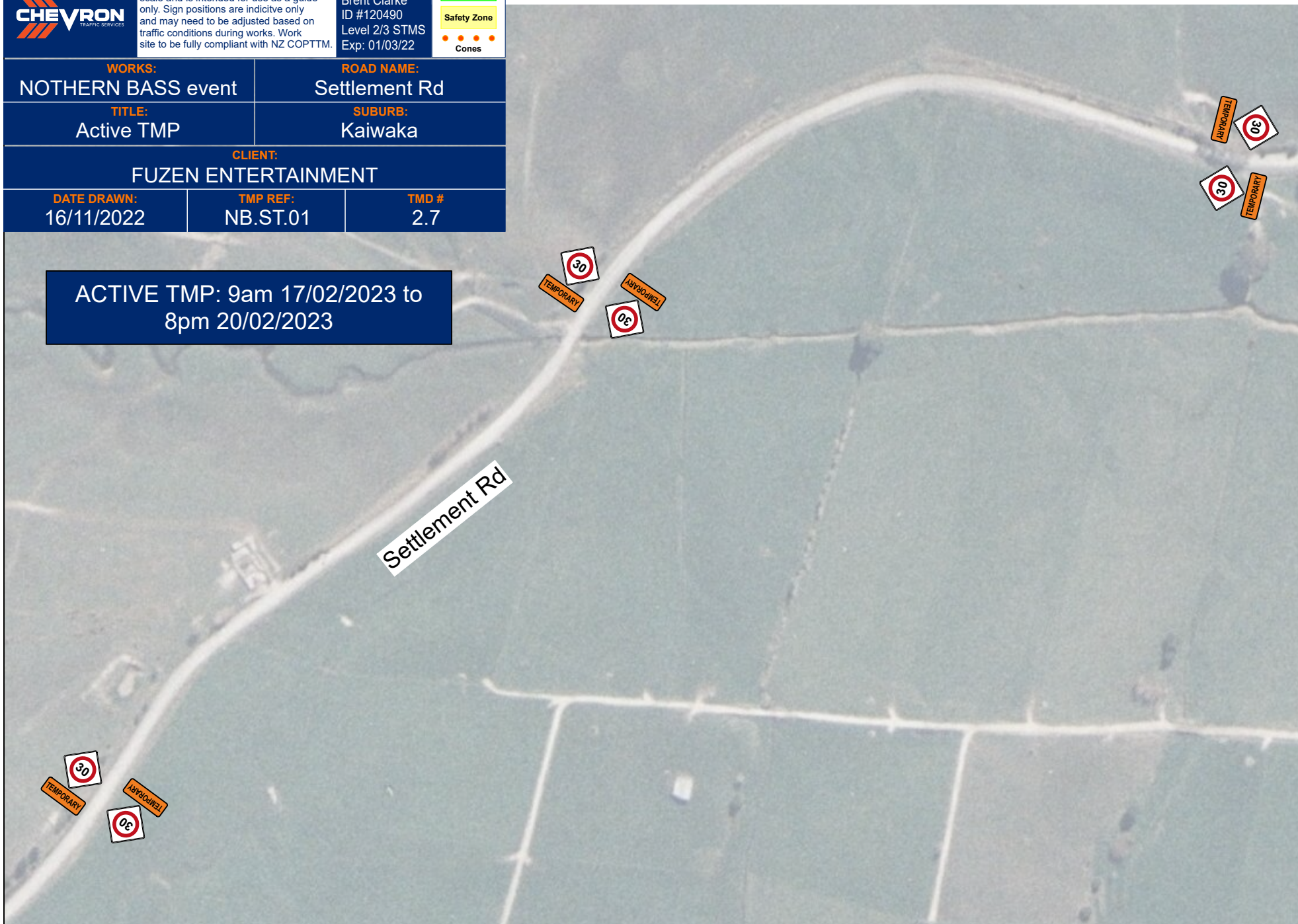
Safety Zone

Cones

<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 2.7

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023

Settlement Rd





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

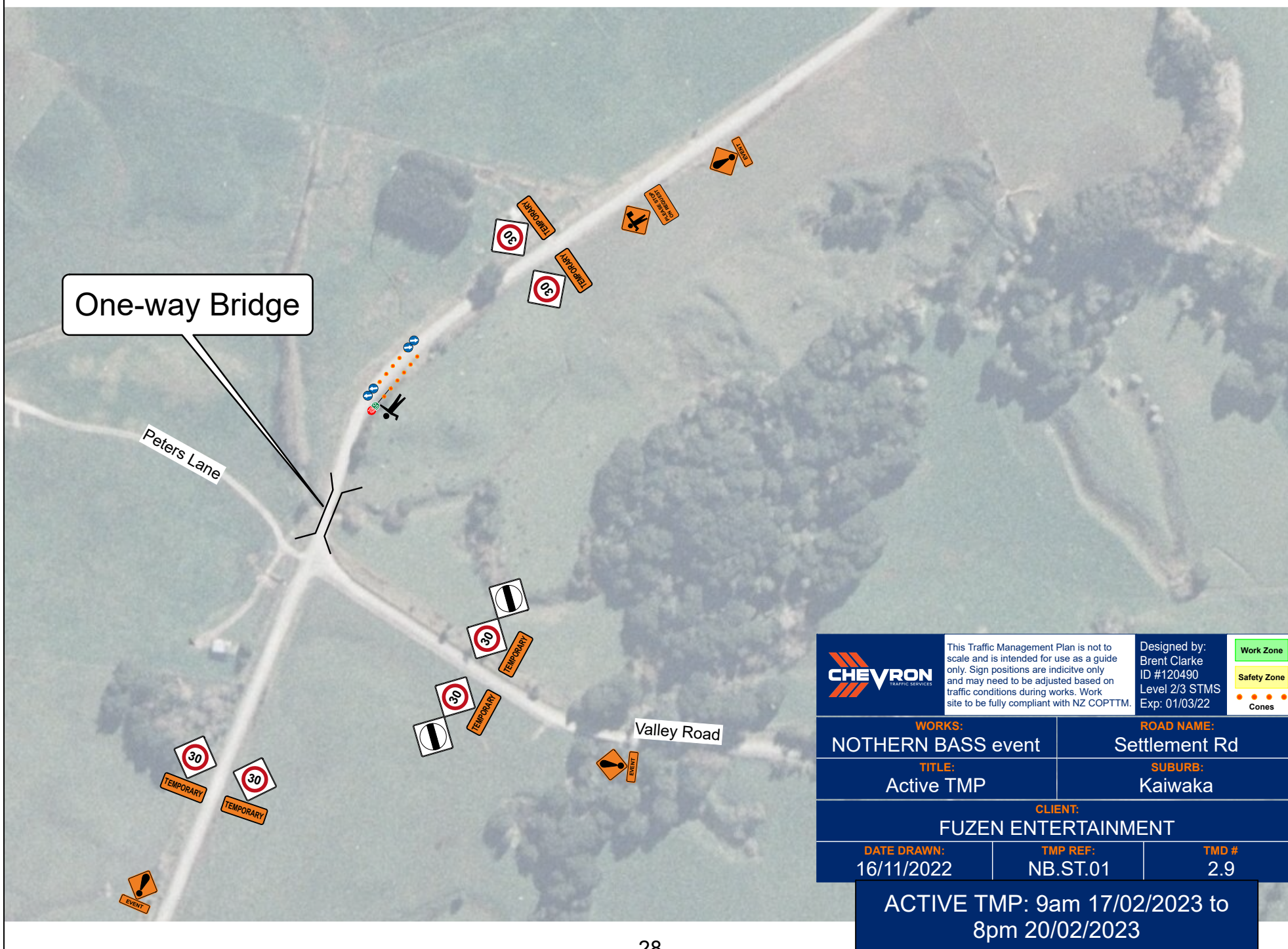
Safety Zone

Cones

<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
<b>TMD #</b> 2.8	

ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023







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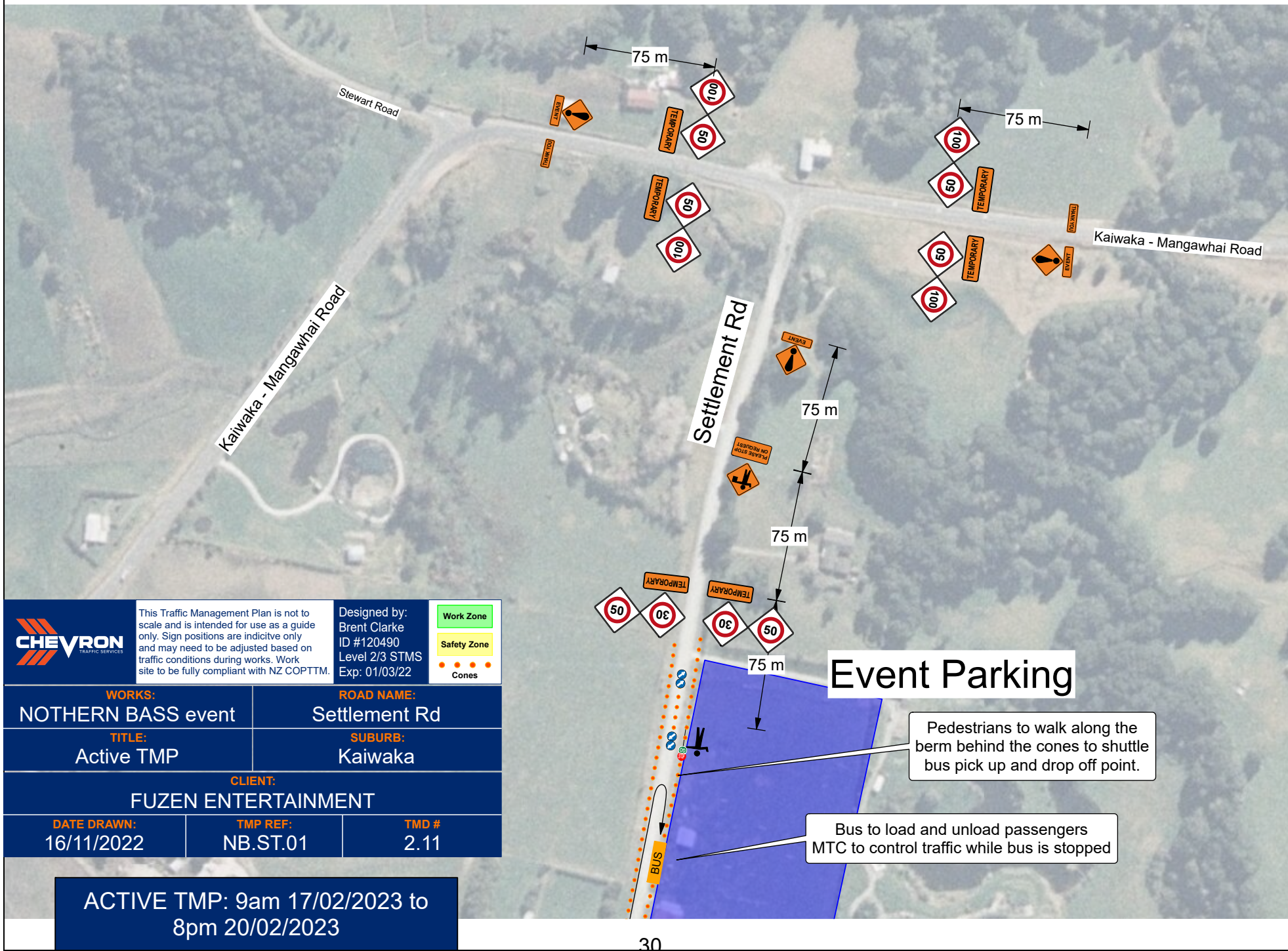
Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22



<b>WORKS:</b> NOTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Active TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 2.10

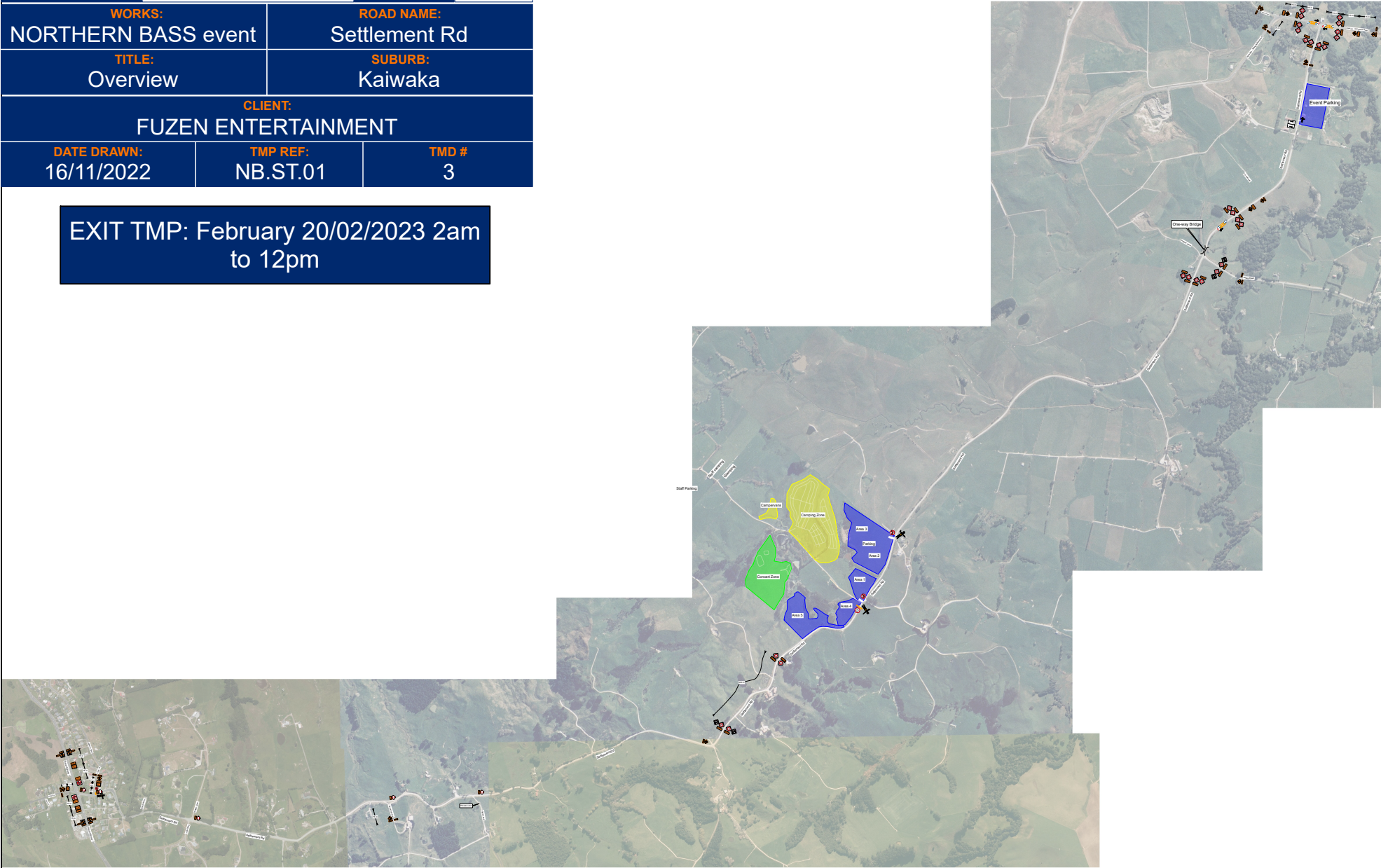
**ACTIVE TMP: 9am 17/02/2023 to  
8pm 20/02/2023**





		This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.		Designed by: Brent Clarke ID #120490 Level 2/3 STMS Exp: 01/03/22		<div>Work Zone</div> <div>Safety Zone</div> <div>Cones</div>
WORKS: NORTHERN BASS event			ROAD NAME: Settlement Rd			
TITLE: Overview			SUBURB: Kaiwaka			
CLIENT: FUZEN ENTERTAINMENT						
DATE DRAWN: 16/11/2022		TMP REF: NB.ST.01		TMD # 3		

EXIT TMP: February 20/02/2023 2am to 12pm





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22



<b>WORKS:</b> NORTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 3.1

EXIT TMP: February 20/02/2023 2am to 12pm





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event		<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP		<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT		
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01	<b>TMD #</b> 3.2

EXIT TMP: February 20/02/2023 2am to 12pm





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event		<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP		<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT		
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01	<b>TMD #</b> 3.3

EXIT TMP: February 20/02/2023 2am to 12pm





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 3.4

EXIT TMP: February 20/02/2023 2am  
to 12pm



	This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.		Designed by: Brent Clarke ID #120490 Level 2/3 STMS Exp: 01/03/22	<div>Work Zone</div> <div>Safety Zone</div> <div>Cones</div>
	WORKS: NORTHERN BASS event		ROAD NAME: Settlement Rd	
TITLE: Exit TMP		SUBURB: Kaiwaka		
CLIENT: FUZEN ENTERTAINMENT				
DATE DRAWN: 16/11/2022	TMP REF: NB.ST.01		TMD # 3.5	

EXIT TMP: February 20/02/2023 2am to 12pm





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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone  
Safety Zone  
Cones

**WORKS:**  
NORTHERN BASS event

**ROAD NAME:**  
Settlement Rd

**TITLE:**  
Exit TMP

**SUBURB:**  
Kaiwaka

**CLIENT:**  
FUZEN ENTERTAINMENT

**DATE DRAWN:**  
16/11/2022

**TMP REF:**  
NB.ST.01

**TMD #**  
3.6



EXIT TMP: February 20/02/2023 2am  
to 12pm



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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
	<b>TMD #</b> 3.7

EXIT TMP: February 20/02/2023 2am  
to 12pm

Settlement Rd



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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

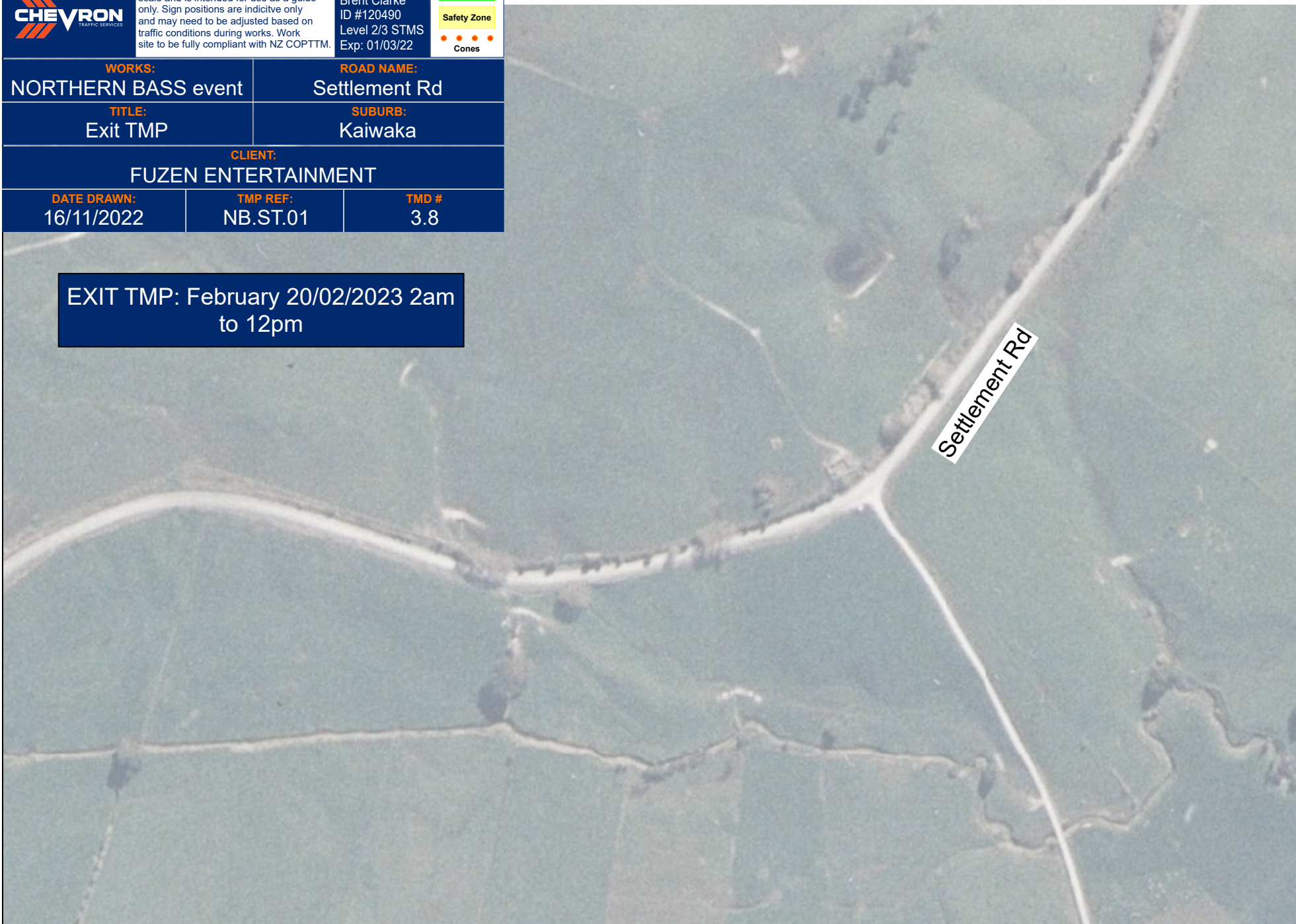
Work Zone

Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event		<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP		<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT		
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01	<b>TMD #</b> 3.8

EXIT TMP: February 20/02/2023 2am  
to 12pm





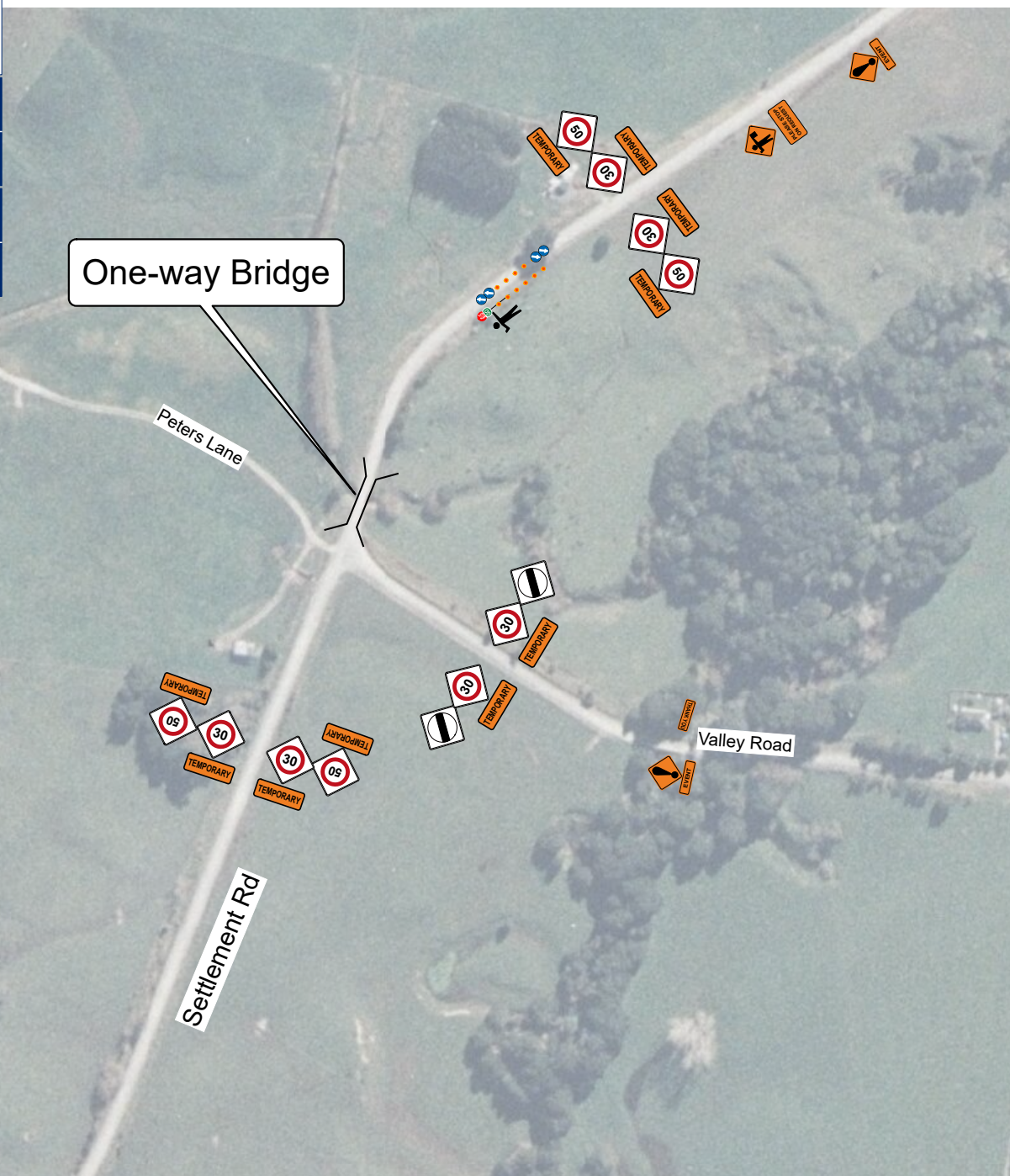
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Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22



<b>WORKS:</b> NORTHERN BASS event		<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP		<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT		
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01	<b>TMD #</b> 3.9

EXIT TMP: February 20/02/2023 2am to 12pm





This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.

Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

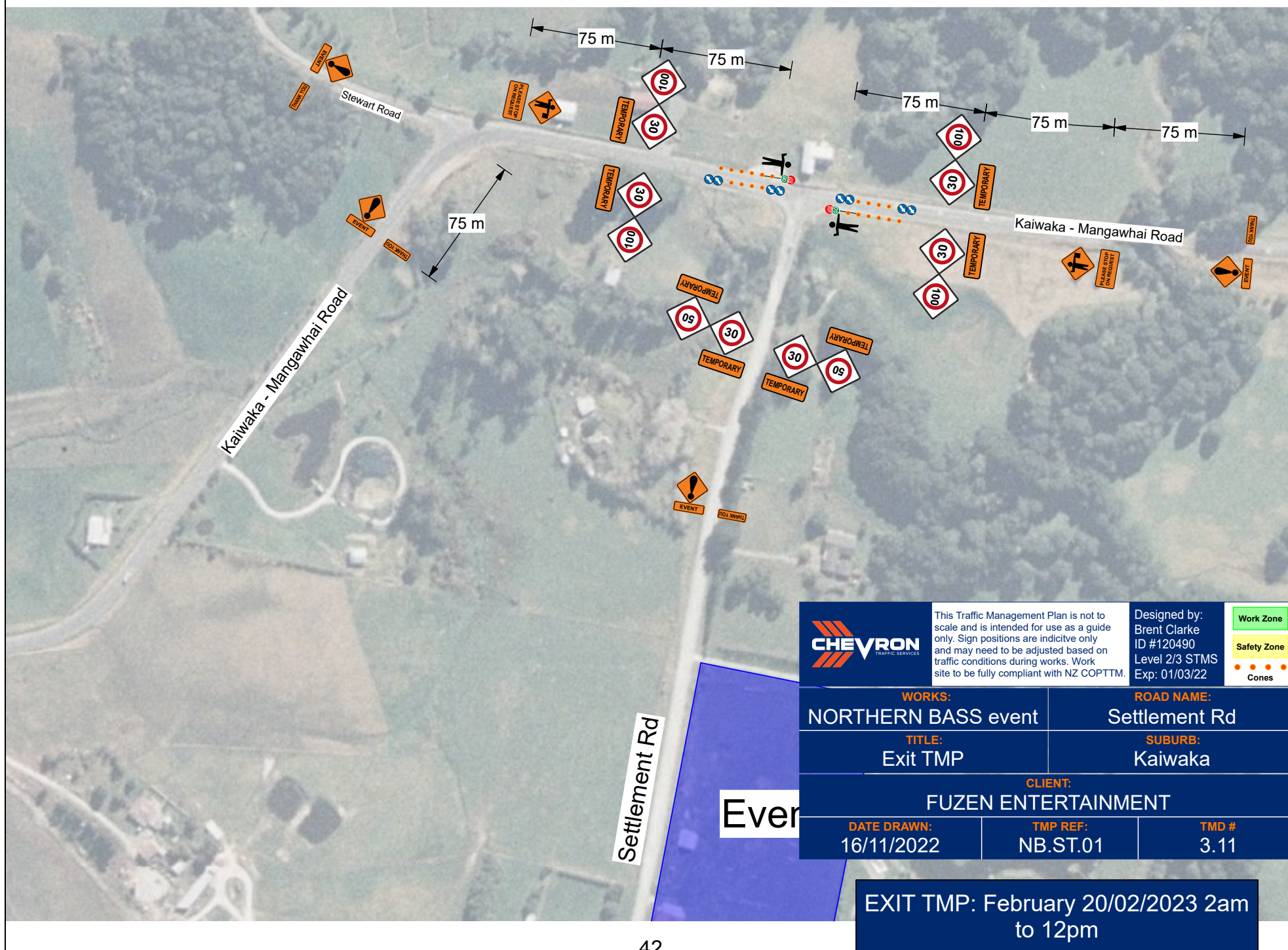
Safety Zone

Cones

<b>WORKS:</b> NORTHERN BASS event	<b>ROAD NAME:</b> Settlement Rd
<b>TITLE:</b> Exit TMP	<b>SUBURB:</b> Kaiwaka
<b>CLIENT:</b> FUZEN ENTERTAINMENT	
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01
<b>TMD #</b> 3.10	

EXIT TMP: February 20/02/2023 2am to 12pm





	This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.		Designed by: Brent Clarke ID #120490 Level 2/3 STMS Exp: 01/03/22	<div>Work Zone</div> <div>Safety Zone</div> <div>● ● ● ● ● Cones</div>
	<b>WORKS:</b> NORTHERN BASS event		<b>ROAD NAME:</b> Settlement Rd	
<b>TITLE:</b> Exit TMP		<b>SUBURB:</b> Kaiwaka		
<b>CLIENT:</b> FUZEN ENTERTAINMENT				
<b>DATE DRAWN:</b> 16/11/2022	<b>TMP REF:</b> NB.ST.01		<b>TMD #</b> 3.11	

EXIT TMP: February 20/02/2023 2am to 12pm



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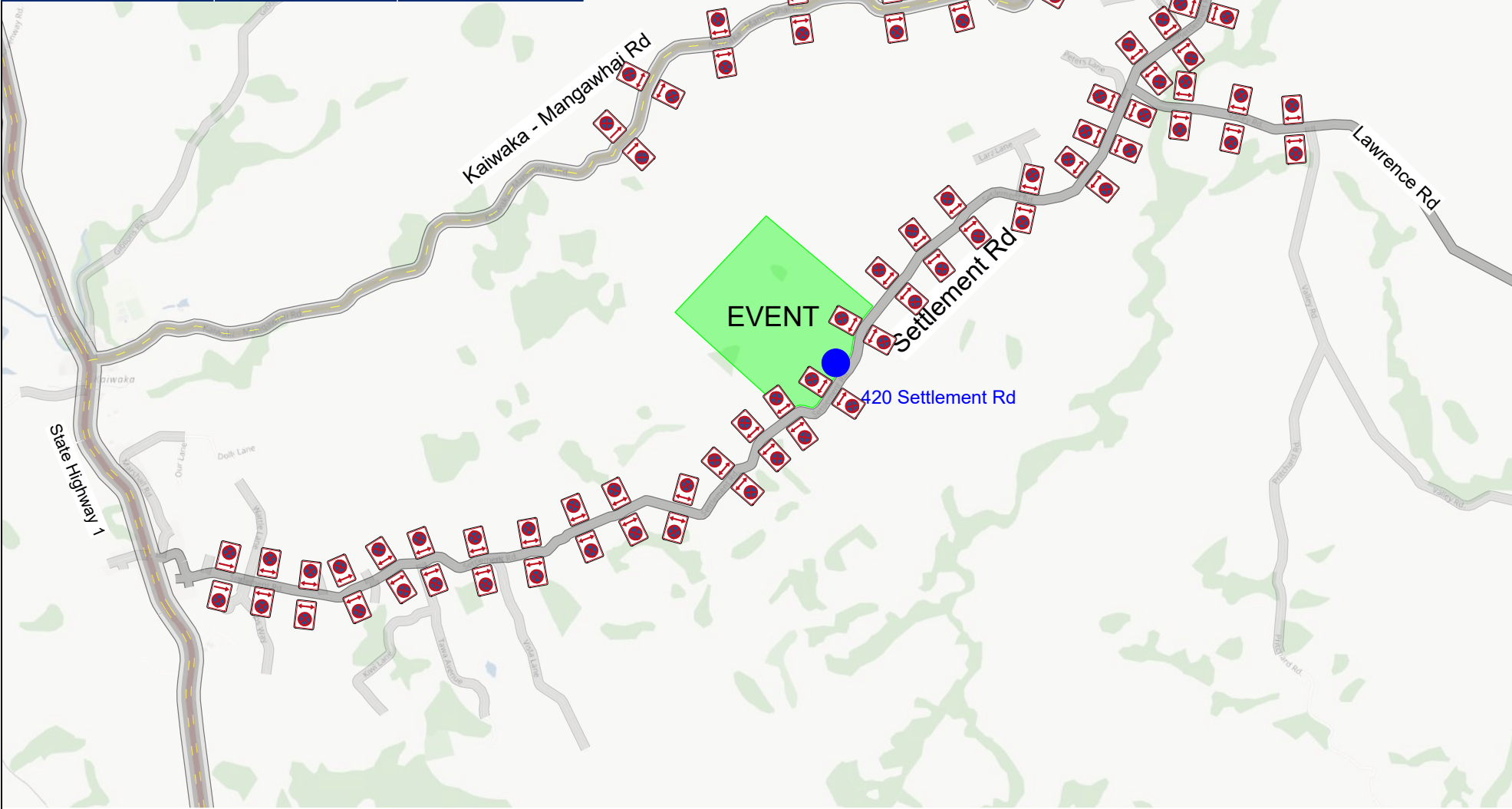
Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22

Work Zone

Safety Zone

Cones

WORKS:		ROAD NAME:	
NORTHERN BASS event		Settlement Rd	
TITLE:		SUBURB:	
No Parking		Kaiwaka	
CLIENT:			
FUZEN ENTERTAINMENT			
DATE DRAWN:	TMP REF:	TMD #	
16/11/2022	NB.ST.01	4	



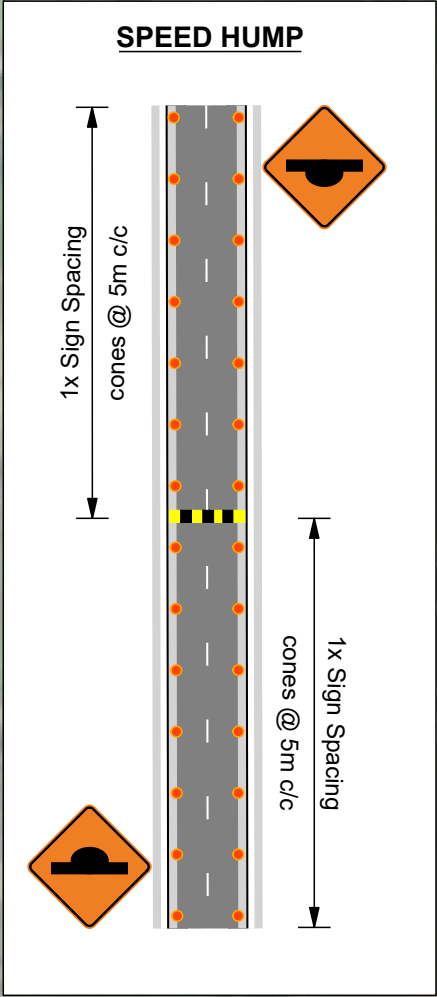
- NOTES:
- SPEED HUMPS TO BE INSTALLED WHEREVER NECESSARY ON SETTLEMENT ROAD

- SPEED HUMPS SHOULD HAVE SIDE FRICTION ON KERB AND CENTRELINE FOR 1x SIGN SPACING

- CONES TO BE PLACED ON EACH SIDE OF SPEED HUMPS @ 5m c/c



Kaiwaka - Mangawhai Road



Lawrence Road

Settlement Road

Google



This Traffic Management Plan is not to scale and is intended for use as a guide only. Sign positions are indicative only and may need to be adjusted based on traffic conditions during works. Work site to be fully compliant with NZ COPTTM.

Designed by:  
Brent Clarke  
ID #120490  
Level 2/3 STMS  
Exp: 01/03/22



WORKS:

NORTHERN BASS

TITLE:

Speedbumps

ROAD NAME:

Settlement Rd

SUBURB:

Kaiwaka

CLIENT:

FUZEN ENTERTAINMENT

DATE DRAWN:

16/11/2022

TMP REF:

SP.RI.01

TMD #

5

**COMBINED LEVEL LV & LEVEL 1 LAYOUT DISTANCES TABLE**

Permanent speed limit or RCA-designated operating speed (km/h)		≤50	60	70	80	90	100		
Traffic signs									
A	Sign visibility distance (m)	50	60	70	80	90	100		
B	Warning distance (m)	50 or 30*	80	105	120	135	150		
C	Sign spacing (m)	25 or 15*	40	50	60	70	75		
Safety zones									
D	Longitudinal (m)+	10 or 5*	15	30	45	55	60		
E	Lateral (m)+	1	1	1	1	1	1		
	Lateral behind barrier installation	As specified by the Installation Designer							
Tapers									
G	Taper length (m)#	30	50	70	80	90	100		
G	LV roads taper length (m)#	25	30	35	40	45	50		
K	Distance between tapers (m)	40	50	70	80	90	100		
Delineation devices									
Cone spacing in taper (m)		2.5	2.5	5	5	5	5		
Cone spacing: Working space (m)##		5	5	10	10	10	10		
* Larger minimum distances apply on all state highways and also on all multi-lane roads. The smaller minimum distances may be applied on other roads to accommodate road environment constraints.									
+ On LV roads the longitudinal and lateral safety zones may be reduced, or eliminated, in order to retain a single lane width. Positive traffic management and an appropriate TSL must be used.									
# 1. On non-state highways with speeds 50km/h or less, a <b>10m taper</b> (with cones at 1m centres) may be used when there are road environment constraints (eg intersections and commercial accesses).									
2. On all roads where the shoulder width is less than 2.5m and the activity does not affect the live lane, a <b>10m shoulder taper</b> is permitted (with at least 5 cones at no greater than 2.5m centres).									
3. A <b>taper of 30m</b> (with cones at 2.5m centres) <b>must</b> be used where manual traffic control (stop/go), portable traffic signals or priority give way are employed.									
## LV roads: double the cone spacing alongside working space (eg 5 = 10, 10 = 20).									
Lane widths (based on permanent speed or TSL if applied)									
Speed (km/h)		30	40	50	60	70	80	90	100
F	Lane width (m)	2.75	2.75	3.0	3.0	3.25	3.25	3.5	3.5

Except for delineation device spacings, which are maximum values, the distances specified in the above tables are minimum values.

**LV/low-risk roads (less than 250vpd - less than 20 vehicles per hour)**

When on the shoulder:

- If **CSD not available**: Advance warning sign and base to be installed with sign visibility distance and warning distance in place
- If **CSD available**: Advance warning sign may be attached to the rear of a work vehicle which has an amber flashing beacon(s) and is visible to approaching road users from the rear.

When the activity encroaches onto a live lane consider alternating flow controls.

If the above requirements cannot be achieved, the operation must be modified to comply with the appropriate level LV or level 1 requirements.

## INSPECTION ACTIVITIES AND NON-INVASIVE WORKS

## On shoulder and on the live lane

This TMD may also be applied on level LV roads

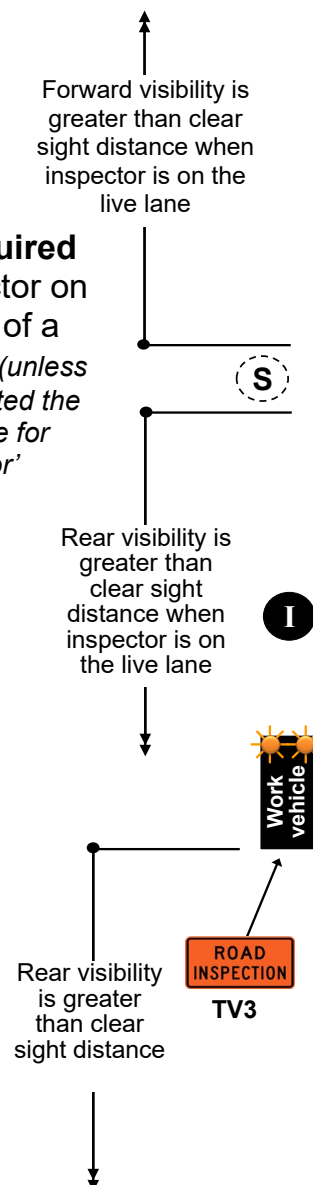
F4.10

Level 1

## Notes

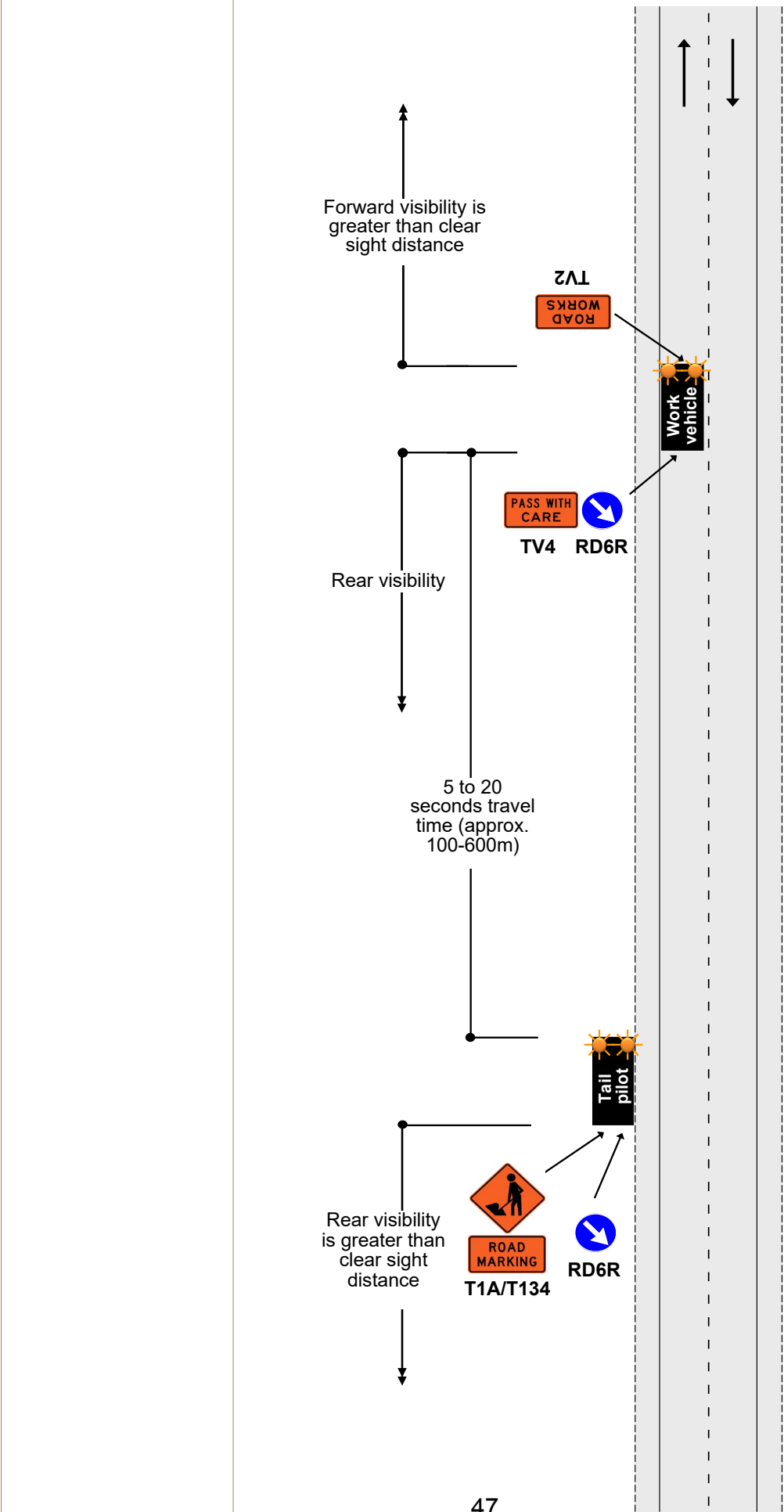
1. Inspectors must move from live lanes to avoid traffic. They must not expect traffic to drive slowly or drive around them
2. On level LV and level 1 roads, a person completing an inspection or non-invasive works cannot be on a live lane for more than 5 minutes
3. Unless otherwise approved by the RCA, all inspections on the live lane of level 1 roads require a spotter. The RCA may provide a list of roads, times and/or activities suitable for inspection by a single inspector
4. There must be CSD to the inspector when on the live lane. If this cannot be achieved, a spotter must be placed in a position where CSD can be attained and verbal instructions be given to the inspector. If this is not possible, a static or mobile operation is required.
5. A spotter is not required for inspections and non-invasive works on level LV roads or working off the live lane of a level 1 road
6. Where an unaccompanied inspector is not able to maintain adequate attention (eg due to work tasks or poor visibility), a spotter will be required or another type of traffic management operation used
7. For inspection activities that are carried out by a TC on level LV and level 1 roads the STMS must be immediately contactable but does not have to be within 30 minutes travel time of the worksite
8. An unaccompanied inspector may walk across a level LV or level 1 road
9. A vehicle is not required on a level LV or level 1 road with a permanent speed of less than 65km/h if the inspector remains on a footpath
10. On roads with a permanent speed of less than 65km/h an amber flashing beacon is not required on the vehicle if the inspector or non-invasive works is on an unsealed shoulder (or further away from the carriageway - including a footpath)

**Spotter required**  
when inspector on  
the live lane of a  
level 1 road (*unless  
RCA has selected the  
road as suitable for  
'single inspector'  
inspections*)



TWO-WAY TWO-LANE ROAD
Work vehicle is in a lane
Permanent speed over 65km/h - CSD forward visibility to work vehicle

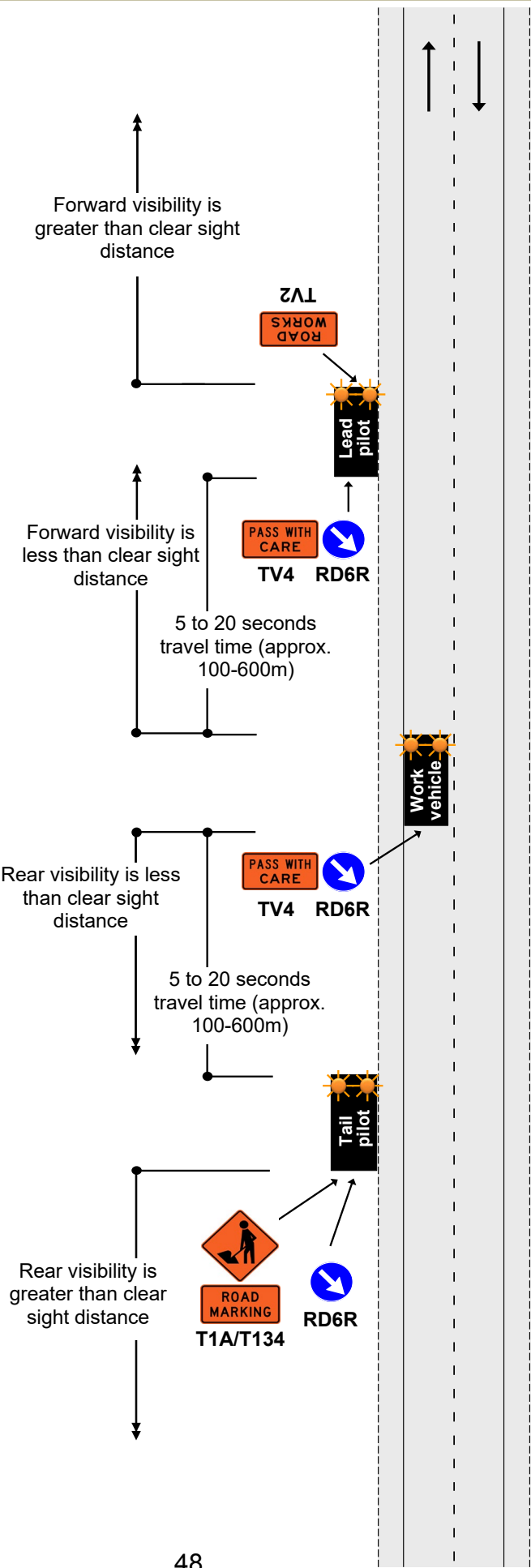
D1.1
Level 1



TWO-WAY TWO-LANE ROAD
Work vehicle is in a lane
Permanent speed over 65km/h - no CSD to work vehicle

D1.2
Level 1

Notes
1.Both forward and rear visibility is less than the clear sight distance continuously for 1km to the work vehicle



# Speed limit review

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Shawn Baker, NTA Speed Limits Project Manager

## Purpose/Ngā whāinga

To appoint a Hearings Committee to receive and hear submissions on the Poutu Peninsula and West Coast Speed Limits Review.

## Executive summary/Whakarāpopototanga

The Setting of Speed Limits Rule 2022 requires Council, in its role as a Road Controlling Authority, to consult on proposed changes to speed limits in accordance with the principles of consultation set out in Section 82 of the Local Government Act 2002.

The Poutu Peninsula and West Coast Catchment Speed Limit Review was publicly notified on 28<sup>th</sup> October with the submission period closing on 5<sup>th</sup> December. Submissions are now being reviewed. A Speed Limit Review Panel, made up of three Councillors (minimum) is required to formally receive all of the submissions and hear any submitters that wish to present their views in person (Section 82 LGA 2002).

This Agenda item seeks a decision by Council to form a Speed Limit Review Panel and agree the members of that Panel.

## Recommendation/Ngā tūtohunga

That the Kaipara District Council:

- a) Agrees to establish a Speed Limit Review Panel to receive and hear submissions on the Poutu Peninsula and West Coast Speed Limit Review.
- b) Appoints [Elected Member name- Chairperson], [Elected Member name], and [Elected Member name] to receive and hear submissions on the Poutu Peninsula and West Coast Speed Limit Review.

## Context/Horopaki

Council is a Road Controlling Authority (RCA) under the Land Transport Act 1998. As an RCA, Council is responsible for setting and reviewing speed limits on local roads within the district in accordance with the Setting of Speed Limits Rule 2022, National Guidance and the national “Road to Zero” Road Safety Strategy.

As part of the national “Road to Zero” Road Safety Strategy, Council are required to review all speed limits in the district over time, with an initial focus on high benefit, self-explaining areas. The reviews are being led by the Northland Transportation Alliance (NTA) on a regional basis to ensure consistency across the region and to achieve cost savings.

The review of speed limits on the Poutu Peninsula and West Coast Catchment areas is the second tranche of speed limit reviews undertaken in the Kaipara District. Submissions closed on 5<sup>th</sup> December and it is expected that any submitter wishing to present their submission in person will be provided an opportunity to do so in February 2023.

## **Discussion/Ngā kōrerorero**

### **Policy and planning implications**

There are no policy and planning implications arising from this decision.

### **Financial implications**

There are no ongoing financial and budgetary implications of this decision.

### **Risks and mitigations**

There are no ongoing risks associated with this decision.

## **Significance and engagement/Hirahira me ngā whakapāpā**

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy as it provides approval for a Panel to receive and hear submissions.

## **Next steps/E whaiake nei**

Submitters wishing to be heard in support of their submission will be provided an opportunity to do so. It is expected that this will occur in February 2023. Once all community feedback is received, staff will prepare a Recommendations Report that will include an Interim Speed Management Plan that meets the requirements of the Setting of Speed Limits Rule 2022 and associated Guidance.

Full Council will have the opportunity to debate and approve the Interim Speed Management Plan so that it can be submitted to Waka Kotahi for certification.

# Pouto Recreation Facility Improvements

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Andy Brown, Asset Manager, Northland Transport Alliance

## Purpose | Ngā whāinga

To seek approval for \$228,347 of District-wide Reserve Contributions funding that will contribute to costs related to Pouto recreation improvement projects.

## Executive summary | Whakarāpopototanga

Kaipara District Councils roading department, the Northland Transportation Alliance (NTA), seek approval from Council for a contribution of \$228,347 from the District-wide Reserves Contribution Fund to support committed Recreational Amenity Improvements in Pouto that include carpark sealing, footpath connections to the Pouto wharf and extending the length of the wharf (currently under construction).

The increased budget is requested for amenity and safety reasons which were identified through community consultation during the wharf design, with pedestrian safety being a priority consideration.

The proposed increase in budget does not impact Ratepayers due to funding coming from council's Reserve Contribution fund. The project meets eligibility criteria to access the fund.

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Approves funding of \$228,347 from the District-wide Reserve Contribution Fund to increase the budget for Pouto amenity improvements, supporting the set-up of the car park sealing, and pathway connection project, and extending the length of Pouto wharf to meet the pathway.

## Context | Horopaki

Pouto has received significant investment from MBIE in recent years that includes funding towards sealing 10 kms of Pouto Road, the largest sealing project in Northland in 10 years, investigating the feasibility of a water transport network on the Kaipara harbour, and the resulting Pouto wharf under construction currently. In 2022 MBIE's Tourism Infrastructure Funding (TIF) of \$124,000 was confirmed to create amenity that supports the previous investments. The wharf and amenity projects have progressed this year and are due to be completed early in 2023. The NTA amenity project (carpark sealing and pathway connections) is working closely with the KDC project (Pouto wharf) to ensure a collaborative and seamless concept for the Pouto beach parking and access area.

Throughout engagement with the community it has been identified that safety is a top priority. Additional work has been undertaken by council to ensure safe access to the beach and wharf from the carpark. To complete this work in line with community expectation and ensuring a future proof solution additional funding is sought through Reserve Contributions.

To summarise the key areas that have created the need for funding:

1. Community engagement over the wharf project highlighted necessary safety and amenity improvement leading to the TIF funding application to support the anticipated increased use of the beach, wharf and carpark.

2. When applying for funding, detailed design is not always complete and this is true for Pouto - a concept design occurred post securing TIF funding which highlighted further opportunity and cost to achieve the safety objectives.
3. Increased costs across civil construction due to the challenging economic environment in 2022.
4. For the wharf to connect to the planned pathway the length of the wharf needs to be extended 5 metres. An extension is a simple exercise while the wharf is currently under construction provided a timely decision regarding funding.

The community have received information via council's typical media channels about the confirmed TIF funding from central government and are anticipating a sealed carpark and connective pathways.

The funding and budget increase is requested from councils District-wide Reserve Contribution fund. The project meets the eligibility criteria for this fund. Under the Reserve Contributions Policy funding can be used for –

- a) Land to be set aside and vested in Council for reserve or public open space purposes; or
- b) A cash contribution to Council for it to carry out works relating to developing or upgrading reserves or public open spaces in the district.
- c) Fencing
- d) Landscaping including grassing and tree planting
- e) Provision of play equipment and other recreational facilities (including tables/chairs); and
- f) Provision of footpaths and walking tracks.

Council has sufficient Reserve Contributions to complete the project this financial year.

## Discussion | Ngā kōrerorero

In 2022 TIF funding was secured to make improvements that support increased visitors to Pouto beach and wharf and to realise the full recreational value at Pouto. This value proposition started with the Kaipara Kickstart Program investment that funded the sealing of Pouto road and followed with the construction of Pouto wharf underway currently.

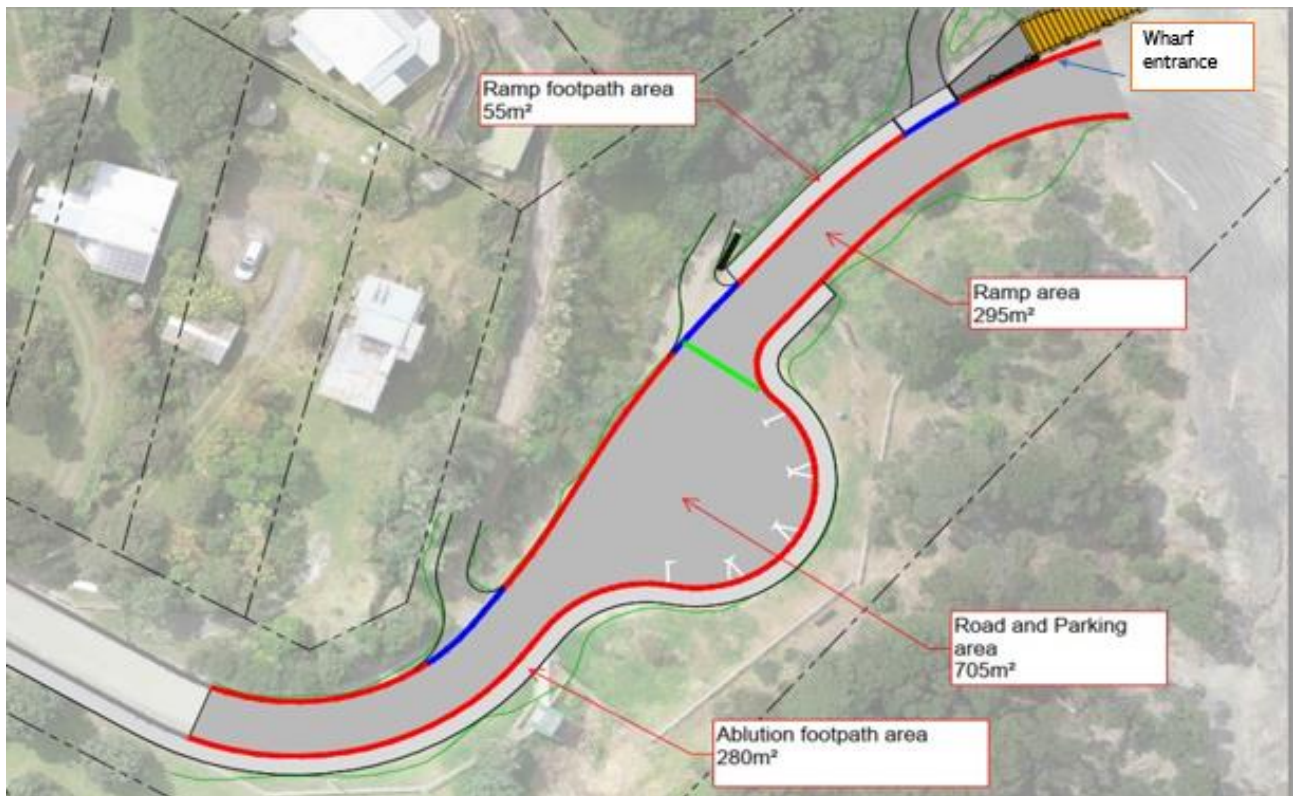
Through consultation with the community that started 3+ years ago and has more recently focused on the Pouto wharf design, the community have consistently been concerned about the current risk related to beach access that involves vehicles and pedestrians having to navigate one another through the limited beach access space, a lack of visibility around the curved entrance onto the beach, and vehicles approaching at speed to get traction through the sand.

Following the community discussion Council staff and NTA considered regulatory requirements for walking, cycling and safety for pedestrians for this area and options to achieve the outcome the community are seeking. A concept plan for the carpark was developed by a design engineer that seals the carpark, connects pedestrians safely to the beach and wharf while providing separation between pedestrians and vehicles to the extent possible. In combination with this the Pouto wharf project is improving the visibility on and off the beach through widening the beach entrance. The wharf is part of the picture and overall challenge as the entrance onto the abutment end of the wharf starts at the end of the beach entrance. See figure 1.

An updated engineer's estimate using current market rates has been developed along with a revision to the carpark sealing estimates considering cost escalations and the high inflation environment council is facing.

The proposal is to complete the carpark sealing and pathway connection project in March 2024 following completion of the wharf construction in March also. The Pouto location will become a key tourism destination and transition zone, particularly for cyclists travelling to Pouto from Helensville with Kaipara Cruises as it is currently. The numbers of cyclists and visitor are projected to increase as outlined in the Kaipara Kickstart and Wharves Programme Business Case.

Figure 1



## Options

Option 1 – Council approve the budget requested – recommended.

Option 2 – Council decline the budget request – not recommended as this would result in the TIF funded carpark sealing work not commencing and council forfeiting \$124,000 of external funding.

## Policy and planning implications

No implications with policy and planning as the request meets necessary requirements.

## Financial implications

\$228,347 is provided from councils Reserve Contributions so there is no extra rates or loan funding required and no burden to the wider community. The balance of the District Reserve Financial Contributions was \$1.6m at June 2022. The project budget is provided in Attachment A.

If the additional Reserve Contribution funding is not approved, council could jeopardise the TIF funding agreement with MBIE which is contributing \$124,000 towards improvement costs.

## Risks and mitigations

There are no significant risks other than the risk of not completing the works, and the communities worst fear being realised and an accident occurring at the beach access between pedestrian and vehicle. The mitigation is to widen the beach entrance improving visibility, and separate pedestrians from vehicles through the concept outlined in this report.

## Impacts on Māori

Te Uri o Hau have been involved in the consultation of the wharf project which has led to the readjustment of scope the funding is being sought for.

## Significance and engagement | Hirahira me ngā whakapāpā

This request does not trigger council's Significance and Engagement Policy.

## Next steps | E whaiake nei

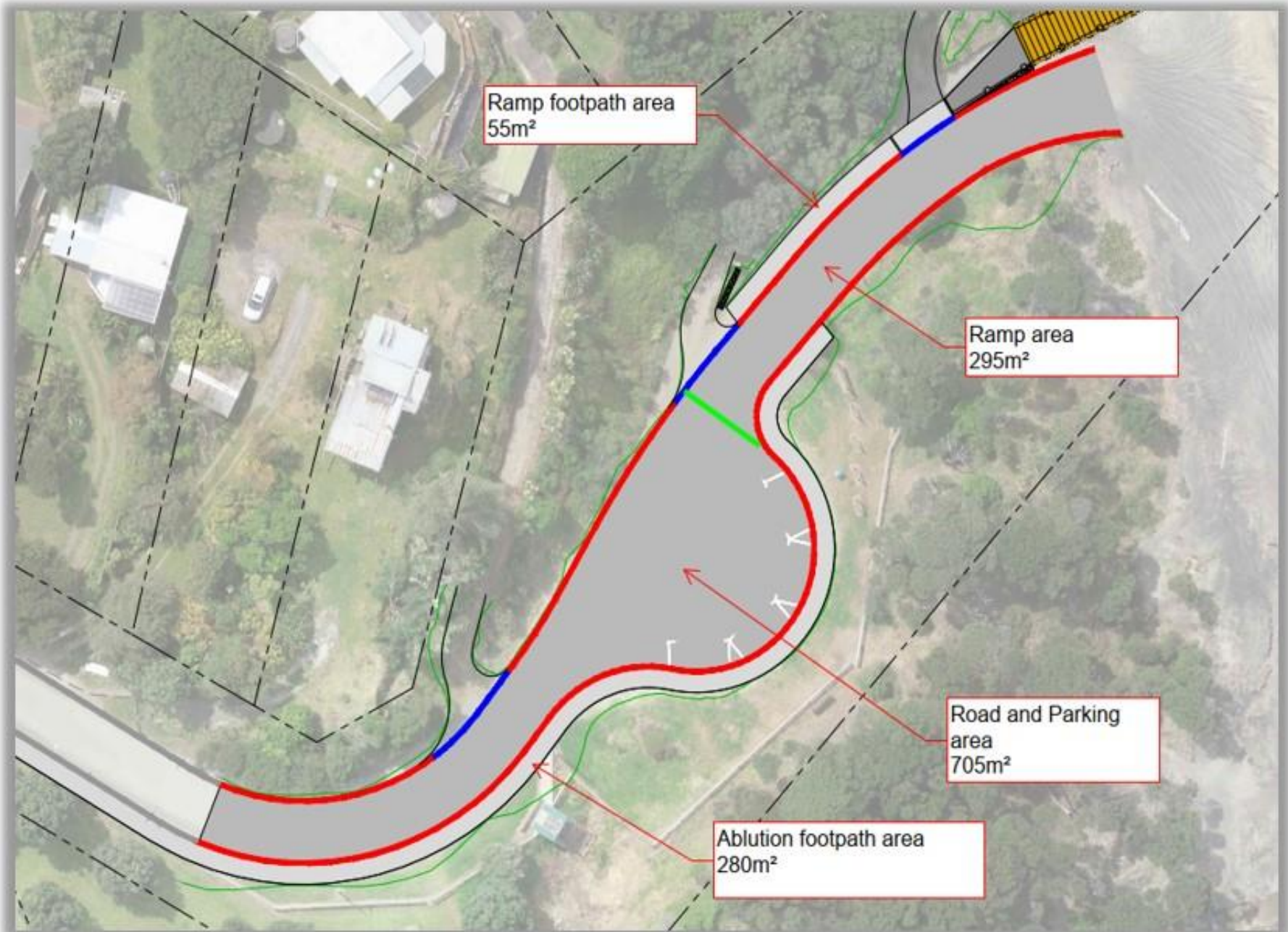
If approval is given to increase the project budget, the project will seek final endorsement from Te Uri o Hau and the community on the concept and will progress activities to support the agreed works.

## Attachments | Ngā tapiritanga

	Supporting information
A	Project Concept Budget breakdown
B	Concept Design image
C	Reserve Contributions Policy

Pouto Rd Wharf Extension, Entrance Improvement Rough Order of Cost			
Description	Qty	Unit	Rate
<b>P &amp; G</b>			
Establishment and supervision (2% of total job cost)	1	LS	
Traffic Control	20	day	\$ 2,500.00
Sediment Control	1	LS	
TMP	1	LS	
Resource Consent	1	PS	
<b>Footpath Construction</b>			
New kerb and channel	260	m	\$ 197.81
New footpath	325	m2	\$ 108.63
Construct driveway crossing point to beach access	45	m2	\$ 450.00
Install sump and 150mm pipe	2	ea	\$ 4,404.50
Marking	300	m	\$ 9.00
Supply and install speed cushions	2	Ea	\$ 2,500.00
Supply and install speed hump signs	4	Ea	\$ 911.90
<b>Carpark Sealing</b>			
Pavement aggregate (200mm compacted base)	250	m3	\$ 100.00
10-12T steel drum Roller	100	h	\$ 135.00
Excavator	120	h	\$ 180.00
Truck	250	h	\$ 150.00
Labourer	640	h	\$ 75.00
Grade 2/4 raked in seal	705	m2	\$ 25.00
Bitumen E/O	705	m2	\$ 2.00
Second Coat Seal	705	m2	\$ 25.00
Bitumen E/O	705	m2	\$ 2.00
<b>Entranceway Concrete Ramp Construction</b>			
Concrete	70	m3	\$ 320.00
Reinforcing	250	m2	\$ 45.00
Boxing	100	m	\$ 6.00
<b>Wharf Extension</b>			
Construction of additional 5m	1	LS	\$ 77,319.00
<b>Contingency</b>			
10% Contingency	1	LS	\$ 77,319.00
<b>Total</b>			

Improvements and Carpark Sealing Cost			
Amount	Budget	Variance	Budget Source
\$ 8,000.00			
\$ 50,000.00			
\$ 5,000.00			
\$ 900.00			
\$ 35,000.00			
\$ 98,900.00		\$ 98,900.00	Not allocated
\$ 51,430.60			
\$ 35,304.75			
\$ 20,250.00			
\$ 8,809.00			
\$ 2,700.00			
\$ 5,000.00			
\$ 3,647.60			
\$ 127,141.95	\$ 127,141.95	\$ -	Unsub Roothing
\$ 25,000.00			
\$ 13,500.00			
\$ 21,600.00			
\$ 37,500.00			
\$ 48,000.00			
\$ 17,625.00			
\$ 1,410.00			
\$ 17,625.00			
\$ 1,410.00			
\$ 183,670.00	\$ 183,670.00	\$ -	TIF & Subsidised Roothing
\$ 22,400.00			
\$ 11,250.00			
\$ 600.00			
\$ 34,250.00	\$ 34,250.00	\$ -	Unsub Roothing
\$ 77,319.00			
\$ 77,319.00		\$ 77,319.00	Not allocated
\$ 52,128.10			
\$ 52,128.10		\$ 52,128.10	Not allocated
\$ 573,409.05	\$ 345,061.95	\$ 228,347.10	Reserves Contributions








# Reserve Contributions (use of) Policy

Kaipara District Council

 <b>KAIPARA DISTRICT</b> <small>Te Ōkaiwi Te Ōhauwhiri</small>	<b>Title of Policy</b>	Reserve Contributions (use of) Policy		
	<b>Sponsor</b>	General Manager Sustainable Growth & Investment	<b>Authorised/Adopted by</b>	Council
	<b>Author</b>	Sue Davidson	<b>Date adopted</b>	23 February 2022
	<b>Type of Policy</b>	Operational	<b>Last review date</b>	23 May 2018
	<b>File Reference</b>	Policy and Planning / Council Policies	<b>Next review date</b>	1 July 2025

## 1. Background

### 1.1 Financial contributions

Financial contributions are a type of levy applied to offset the effects of growth. Council has a Financial Contributions Chapter in its District Plan. This outlines how much can be imposed on land developers when a resource (land use or subdivision) consent is approved. The District Plan relies on the provisions of the Resource Management Act to define how financial contributions can be spent. **Reserve contributions** are a subset of financial contributions.

Section 108(10)(a) of the Resource Management Act 1991 (the Act) allows Council to require financial contributions for reserves, where necessary, to achieve one or more of the following purposes:

- Creating open space (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- Adding capacity to or otherwise enhancing existing open spaces (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- Giving public access to coastal areas, reserves, bush areas or areas of special character through reserve contributions.

### 1.2 Reserves contributions

Council may require a financial contribution in cash or land towards the establishment and/or upgrading of reserves and public open space areas as a condition of land use consent or subdivision consent.

**In the Kaipara District Plan section 22.6.6 details the purpose of reserve contributions:**

*“By requiring developments to pay their fair and reasonable share of the costs of purchasing land for reserves or upgrading existing reserves.*

*New developments generate an increase in demand for, and usage of, reserves, open space and public recreation facilities. All new developments will be required to contribute towards the costs of acquiring new, or upgrading existing reserves, open space or facilities, in accordance with Council’s Reserves and Open Space Strategy.*

*Financial contributions for reserves will only be used for the purchase and development of new reserves or for the improvement and development of existing ones. The maintenance of reserves and recreational facilities is funded through rates.”*

**In section 22.10.6 of the District Plan describes what purposes a reserve contribution will be put:**

Any **reserve contribution** required as a condition of land use consent or subdivision consent may be in the form of:

- a) Land to be set aside and vested in Council for reserve or public open space purposes; or
- b) A cash contribution to Council for it to carry out works relating to developing or upgrading reserves or public open spaces in the district.

In addition, under Section 108 of the Act, Council can require as a resource consent condition works on any reserve or public open space. Such works may include but are not limited to:

- a) Fencing;
- b) Landscaping including grassing and tree planting;
- c) Provision of play equipment and other recreational facilities (including tables/chairs); and
- d) Provision of footpaths and walking tracks.

When the contributions are taken as land vested in Council:

- a) There must be a demonstrable current or foreseen future shortage of open space in a particular area; and
- b) The land must be suitable for the intended purpose.

## **2. Objectives of this Policy**

The objectives of this Policy are:

- a) For Council or a committee of Council to define the priorities it has for the use of reserve contributions;
- b) To use these priorities to determine projects of greatest benefit to the community; and
- c) To allow community input and participation through a discretionary contestable process.

## **3. Definitions**

**Reserve contributions:** a mechanism in the District Plan that allows for the collection of levies from developers, so that Council can develop or upgrade reserves and other public open spaces.

**Open space:** recreational areas, visual buffers and amenity areas (as described in the Act).

**Local:** the district has been divided up into four catchments described as Dargaville and Surrounds; Maungaturoto, Paparoa, Tinopai and Surrounds; Kaiwaka and Surrounds; Mangawhai and Surrounds. The catchment areas are depicted in Appendix A.

## **4. Existing parks and reserves**

For information on the existing parks and reserves refer to the Long Term Plan and individual Reserve Management Plans.

## **5. Eligibility criteria**

### **5.1 Criteria for eligibility for use of reserves contributions**

When assessing proposals for the use of reserve contributions, Council will have regard to the following criteria:

- a) Creating public open spaces (including recreation areas, visual buffers and amenity areas).
- b) Adding capacity to or otherwise enhancing existing public open spaces (including recreation areas, visual buffers and amenity areas). This can include:
  - bringing existing reserves up to a minimum standard for public use e.g. supplying public toilets in recreation reserves;
  - landscaping; and
  - providing equipment e.g. seats, barbecues, playgrounds.
- c) Giving public access to coastal areas, reserves, bush areas or areas of special character. This is typically through:
  - the development of walking tracks; and
  - the purchase of land that connects two public areas otherwise not accessible to the public.
- d) Within each catchment, consideration will be given to the amount of funds collected in the locality of a proposed project.
- e) Consideration will be given to projects that add amenity to the parks and reserves that are lacking in amenities.

All allocations will be judged against their fit with these criteria. The funds will not be used for normal asset management (maintenance, repairs and renewals).

## **6. Distribution of reserve contributions**

Council will generally apply funds in the locality in which they are generated and may apply up to 10% of the funds in other parts of the district. The agreed % will be collected as District Reserve funds. Improvements to be funded by District Reserves can be playgrounds, cycleways, tracks, carpark sealing etc.

## **7. Public contestable funding round**

A public contestable funding round will be held on an annual basis for catchments where sufficient funds have accumulated in the District Reserve Funds to make the process worthwhile. Where there are sufficient funds Council will typically aim to distribute them within three years of collection. Annual contestable fund for the next 3 years to 30 June 2025 is \$250,000 p.a.

During each round projects initiated by Council, and community groups within the catchment, will be considered by the Reserve Contributions Committee. The Reserve Contributions Committee will then make recommendations to the full Council for approval.

All decisions on whether and how to distribute the funds will be at the sole discretion of Council and are final.

**a) Contestable fund distribution**

There is a need for a high level of transparency and accountability for the spending of reserves contributions. To enable this standard to be met, accountability arrangements will be documented in a formal Contract between the community organisation receiving support and Council. The Agreement will be appropriate to reflect the nature and level of support given.

Funding will be implemented through a Contract which will outline:

- the project for which the funding was provided for;
- the conditions attached to the funding;
- accountability requirements, including the methods to report back on the use of the funds; and
- the steps Council will take if progress is not as planned.

**b) Timing of applications**

The timing of reserve contribution grants will be matched with the planning and budgeting cycles of the Council. Council will call for applications in June and release decisions by the end of October. Should there be sufficient reserve contributions collected during the year Council may consider opening up a second funding round.

Decisions on reserve contributions distribution will be recommended to Council by the Reserve Contributions Committee, who has been given delegated authority from Council to make recommendations on applications. Council will then make the final decision. All grants entered into during the year will be reported in the Annual Report for that year.

Application forms will be made available on Council's website and at Council offices when the funding round opens.

**c) General assessment criteria**

Council will consider the following when assessing applications received for reserve contributions. These are general criteria which community organisations applying for support need to demonstrate in their applications.

**d) Consistency with the Reserve Contributions (use of) Policy**

Any application will need to be consistent with the eligibility criteria of section 5 of the Reserve Contributions (use of) Policy.

**e) Not-for-profit**

With the exclusion of any Council application, Council assistance will only be provided to legally constituted not-for-profit entities, and there should be a volunteer component to any non-Council applications.

**f) Financial reporting**

All applications must be accompanied by an audited or reviewed Statement of Financial Position for the previous financial year and a budget projection for the next financial year.

**g) Central government funding**

Community organisations that can receive funding from central government will be considered for grants, however no central government agency may apply for funding.

**h) Health and safety**

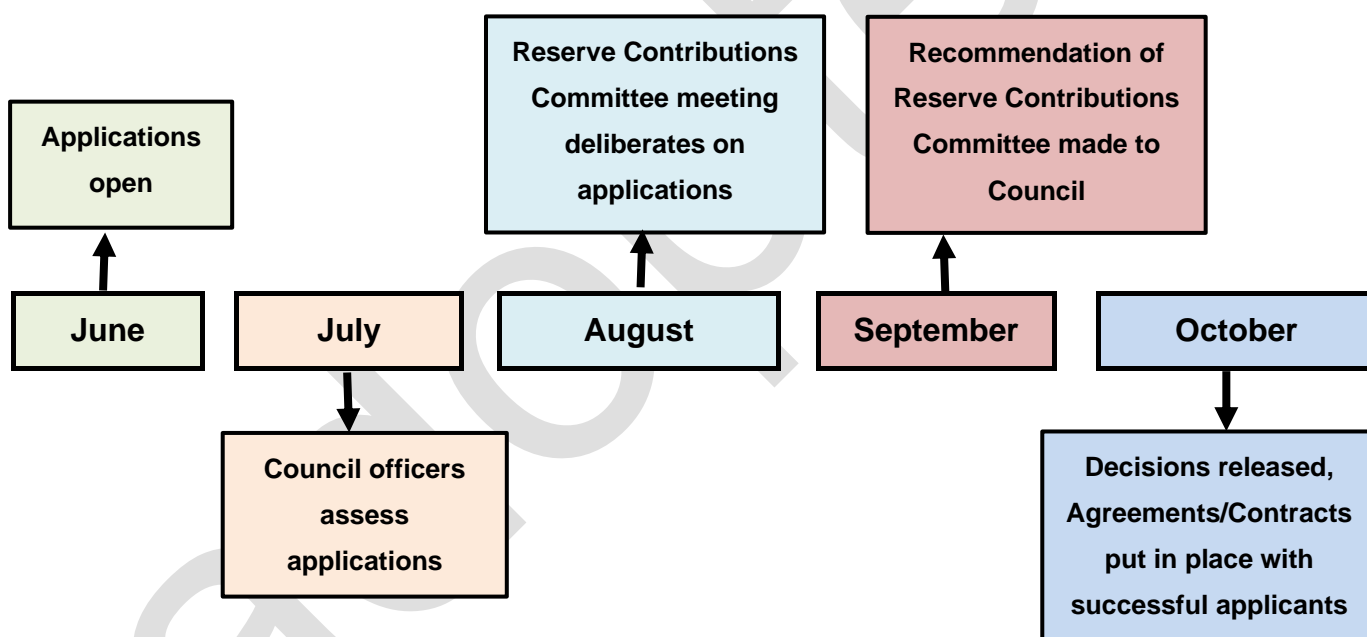
Applicants must comply with all health and safety legislative requirements.

**i) Accountability requirements**

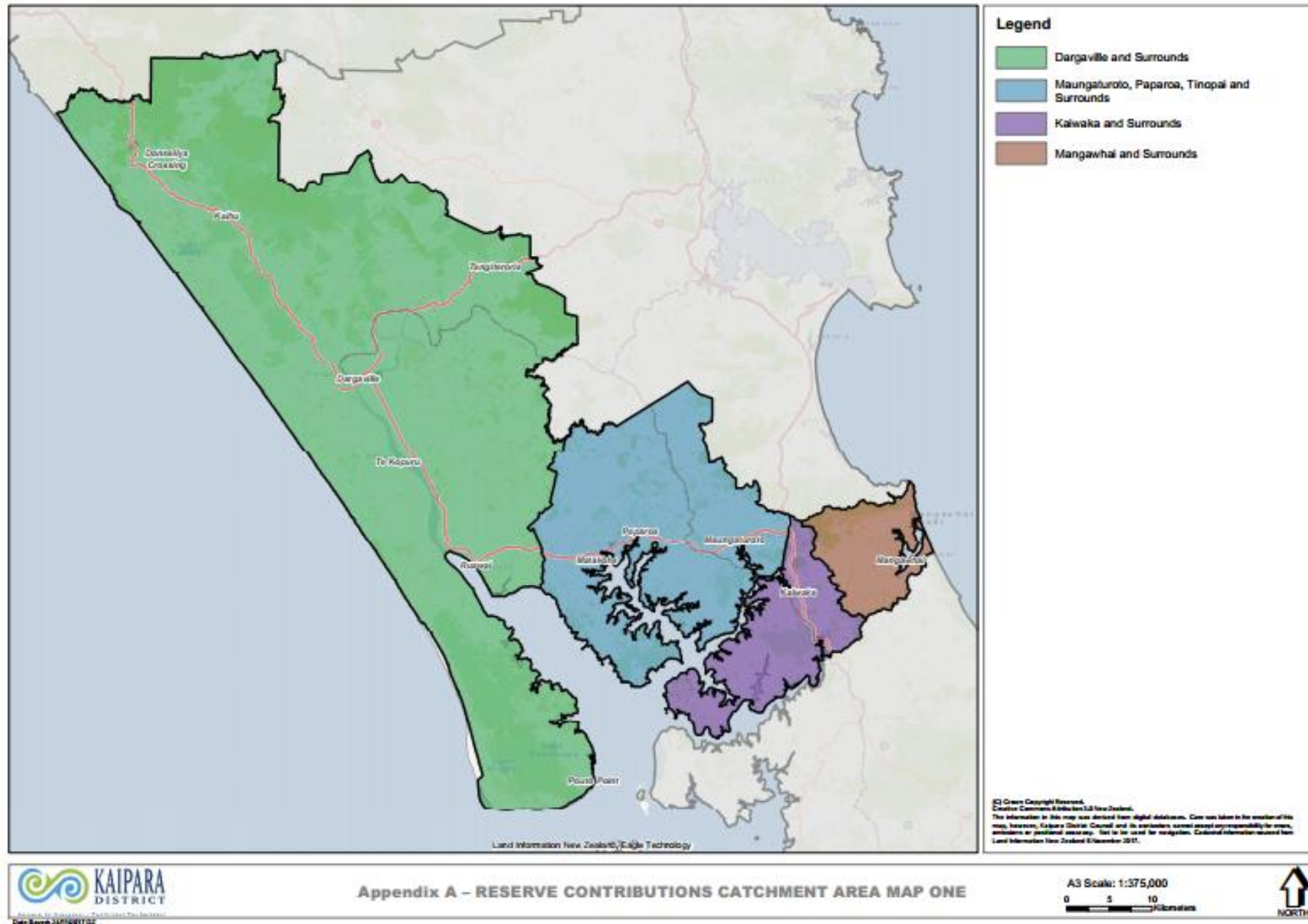
All recipients under this Policy are required to enter into an Agreement or Contract with Council that outlines the terms and conditions of the approved assistance. Funds will not be provided until both parties have signed the Agreement or Contract, which will outline, among other obligations:

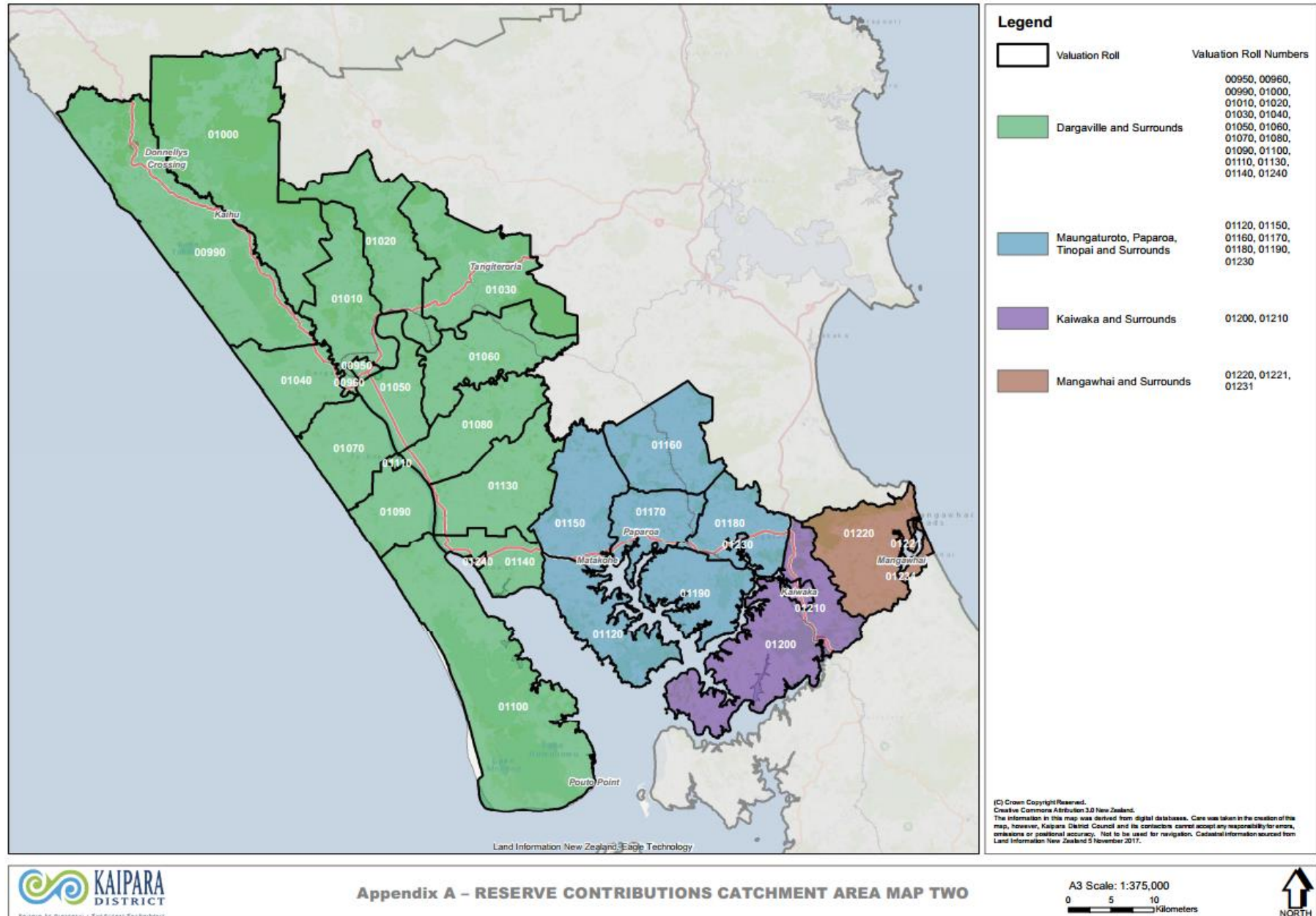
- The purpose and conditions of the assistance; and
- Accountability requirements, as determined by the level of assistance required.

**Contestable Application Process**



Attached to this policy are the catchment maps relating to the funding catchment areas





# Appointment of Commissioners for the Hearing on Private Plan Change 81 - Dargaville Racecourse

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Paul Waanders, District Planner; Katherine Overwater, Team Leader District Plan

## Purpose | Ngā whāinga

Council is currently processing a Private Plan Change application for the Dargaville Racecourse. The next step in the Schedule 1 of the Resource Management Act 1991 (the RMA) process is to hold a hearing. To hold a hearing, Commissioners need to be appointed to hear the submissions on the application.

The purpose of this report is to:

- Delegate functions, powers, and duties to the hearing commissioner(s);
- Confirm the number of Commissioners required to conduct the hearing and the make-up of internal Council Commissioners or external Independent Commissioners for the hearing on Private Plan Change 81 for the Dargaville Racecourse.

## Executive summary | Whakarāpopototanga

Private Plan Change 81 for the Dargaville Racecourse was lodged with Kaipara District Council (KDC) as a Private Plan Change on 21 February 2022 for processing in accordance with Schedule 1 of the RMA.

Council accepted the Plan Change for processing on Wednesday 27 July 2022 and then publicly notified the application on Monday 29 August 2022. Submissions closed on Monday 26 September 2022 - 18 submissions were received.

Further submissions were notified on Tuesday 1 November and closed 10 working days later on Tuesday 15 November 2022 - 7 further submissions were received.

The application and submissions are yet to be considered through a public hearing by a hearings panel of accredited Commissioners (proposed to be scheduled for late March 2023). The panel of Commissioners will be required to make a recommendation to Council for consideration.

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Delegate functions, duties, and powers under section 34A(1) of the Resource Management Act 1991 to a hearing panel to **hear and recommend** outcomes on Private Plan Change 81 (Dargaville Racecourse) and the submissions received; and
- b) Approves that **three** Commissioners be appointed to hear the submissions on Private Plan Change 81: and
- c) Approves the composition of the hearing panel - being two 'Independent' Hearing Commissioners and one 'Internal' Commissioner; and
- d) Notes that staff will seek to engage one Independent Commissioner with an understanding of tikanga Māori.

## Context | Horopaki

Kaipara District Council has a Hearing Commissioner Policy, adopted 27 May 2020 (**Attachment A**). The alphabetical list of Commissioners for Kaipara District is attached at **Attachment B**.

This report discusses the appointment of Commissioners and composition of a panel with internal Council Commissioners and external Independent Commissioners to hear and recommend outcomes on the Private Plan Change application and submissions received for the Dargaville Racecourse.

## Discussion | Ngā kōrerorero

Kaipara District Council has the Commissioners Policy and a list of 13 Commissioners accredited in terms of sec 39A of the Resource Management Act 1991. The accreditation distinguishes between Commissioners that are Chair endorsed with the other Commissioners being members.

### Delegation of functions, powers, and duties to the Hearings Panel

In terms of Section 34A(1) of the RMA, Council can delegate its functions, powers, and duties to a Hearings Panel to 'hear and decide' or 'hear and recommend' the Private Plan Change application and submissions.

**Option 1:** If the function is to 'hear and decide', the hearings panel makes the decision on behalf of Council (it does not come back to full Council for a decision).

**Option 2:** If the function is to 'hear and recommend' the hearings panel will only make a well formulated recommendation and Council makes the decision.

It is noted that Council in making its decision on the Private Plan Change application, generally cannot deviate from the Hearings Panel's recommendation as it did not hear all the evidence itself, but Council can refer matters back to the Hearings Panel for further recommendations.

Plan Changes, different than for Resource Consents, amend a Council approved document and normally the decision to approve or reject is undertaken by full Council.

The recommendation is therefore to delegate functions, duties, and powers under section 34A(1) of the RMA to the hearing panel to **hear and recommend** outcomes on the Private Plan Change 81 for the Dargaville Racecourse and the submissions received.

Furthermore, it is noted that eventually, should the Private Plan Change be approved, it will be incorporated into the Operative District Plan, which is a function that cannot be delegated.

### Appointment of the number of Commissioners on the panel

There are no limitations on the number of Commissioners that are appointed to hear a Private Plan Change. It is preferable to have an uneven number of Commissioners in case there are differences of opinion which can lead to a hung decision unless the chair has a casting vote.

Staff recommend having **three** commissioners to ensure a decision can be made without the Chair having to use a casting vote.

### Composition of the Hearing Panel

According to Council's Hearing Commissioners Policy, Council decides whether there is a preference for utilising internal Commissioners or independent Commissioners or a combination.

Kaipara District Council has the Commissioners Policy and a list of 13 independent Commissioners accredited in terms of Section 39A of the RMA. The accreditation distinguishes between Commissioners that are Chair endorsed with the other Commissioners being members only.

The Kaipara District Council Policy requires that a hearing panel Chair needs to be an Independent Commissioner. The policy does not make a distinction between Commissioners that are Chair endorsed and panel members only, but it is best practice that the Chair should be accredited as "chair endorsed".

Clause 4.4 of the policy describes the requirements for an internal Council Commissioner who also has to be an accredited Commissioner in terms of Section 39A of the RMA.

**Option 1:** to appoint three independent Commissioners from the list of Commissioners.

**Option 2:** to appoint an internal Commissioner and two independent commissioners Note: Deputy Mayor Larsen is presently the only qualified internal Commissioner.

Option 2 is the preferred option as local knowledge and understanding of Council's activities and policies will be an advantage during the hearing and in the deliberations of the application.

Staff recommend that the proposed panel of three commissioners for Private Plan Change 81 is therefore comprised of two independent Commissioners and one internal Commissioner.

Following the policy and the list of accredited Commissioners, appointment of the panel will be based upon the availability of members and those who are Chair endorsed following an alphabetical order.

### **Appointment of a Panel member with understanding of tikanga Māori**

The provisions of section 34A of the Resource Management Act requires that:

- (1A) If a local authority is considering appointing 1 or more hearings commissioners to exercise a delegated power to conduct a hearing under [Part 1](#) or [5](#) of Schedule 1,—*
- (a) the local authority must consult tangata whenua through relevant iwi authorities on whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapu, and*
- (b) if the local authority considers it appropriate, it must appoint at least 1 commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū, in consultation with relevant iwi authorities.*

Given that Ngāti Whātua are part of the applicant group of this Private Plan Change and that three Iwi/hapū have submitted on the Private Plan Change application, staff consider that the application merits appointing a commissioner with an understanding of tikanga Māori. Furthermore, the content of the submissions provided from iwi/hapū apply a tikanga Māori or Māori world view of land development.

Staff have consulted with Council's iwi authorities as per the requirements of section 34A. Te Uri o Hau and Te Roroa have indicated that they would prefer that a commissioner be appointed with an understanding of tikanga Māori to hear the Private Plan Change application.

There are two options here:

**Option 1:** Appoint a commissioner with an understanding of tikanga Māori to hear the private plan change application.

**Option 2:** Do not appoint a commissioner with an understanding of tikanga Māori to hear the private plan change application.

Staff recommend Option 1.

### **Financial implications**

The Commissioners are contractually appointed by Kaipara District Council with set rates whilst the Internal Commissioner is remunerated according to the Local Government Members (2022/23) Determination 2022.

The full cost of the hearing is on-charged to the applicant given that the application is for a Private Plan Change.

### **Risks and mitigations**

The risk of not appointing Commissioners could lead to the delay of the hearing, which could pose a risk to Council in respect to meeting the timeframes set out in Schedule 1 of the Act for processing a Private Plan Change application.

## Impacts on Māori

There are no impacts on Māori. However, it is noted that staff have engaged with mana whenua partners, who have indicated their preference for one of the Hearings Commissioners to have an understanding of tikanga Māori.

## Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.


The appointment of Commissioners is undertaken in accordance with Councils adopted Hearings Commissioners Policy.

## Next steps | E whaiake nei

Once direction has been provided by Council on the number and make-up of commissioners appointed to hear Private Plan Change 81, including whether a panel member should have tikanga Māori understanding, staff will work from the list of accredited commissioners in alphabetical order to determine the availability of commissioners for the dates proposed.

## Attachments | Ngā tapiritanga

	Title
A	KDC Hearing Commissioners Policy
B	Updated Commissioners Details

 <b>KAIPARA DISTRICT</b> <small>Two oceans Two Harbours</small>	<b>Title of Policy</b>	Hearing Commissioners Policy		
	<b>Sponsor</b>	General Manager Engagement and Transformation / Chief Executive	<b>Authorised / adopted by</b>	Council
	<b>Author</b>	Policy Manager	<b>Date authorised / adopted</b>	27 May 2020
	<b>Type of Policy</b>	Administration	<b>Last review date</b>	N/A
	<b>File Reference</b>	3825.01	<b>Next review date</b>	2022 – Following the local government elections.

Document Control			
Version	Date	Author(s)	Comments
1	27 May 2020	Policy Manager	Draft Hearing Commissioners Policy adopted by Council.

## 1 Background

This policy outlines how Kaipara District Council (the Council) will appoint Independent Hearings Commissioners under the Resource Management Act 1991 (RMA) and delegate to them, the functions, powers and duties under section [34A\(1\)](#) of the RMA to hear or hear and decide RMA hearing matters also having regard to section [34A\(1A\)](#) of the RMA referring to tikanga Māori knowledge.

This Policy also outlines how Council will appoint appropriately accredited elected members to act as Internal Hearing Commissioners alongside Independent Hearing Commissioners.

Hearing Commissioners are required to provide sound advice and make sound decisions, following robust practice, without any conflicts of interest or bias. The processes outlined in this Policy are designed to support Hearing Commissioners to achieve this.

## 2 Objectives

- a) Provide guidance, transparency and consistency on:
  - Recruitment of Independent Hearing Commissioners to the Council's Independent Hearing Commissioners List.
  - The process for selecting and appointing Independent Hearing Commissioners to a hearing/hearing panel.
  - Elected members serving as Internal Hearing Commissioners.
- b) Ensure hearings involving Hearing Commissioners comply with legislation and the principles of fairness and natural justice.
- c) Ensure appropriate expertise is available for complex or joint hearings (e.g. with Northland Regional Council (NRC)).

## 3 Definitions

In this policy, the following terms and phrases shall have these meanings:

**Appointment** means the formal process by which the Council appoints individuals to serve as Hearing Commissioners on behalf of the Council under this Policy.

**Authorisation** means the formal process by which the Council delegates specific authority to individuals to undertake RMA functions of Hearing Commissioners on Council's behalf.

**Council**, unless stated otherwise, means the Kaipara District Council.

**Independent Hearing Commissioner** means a person who is not an elected member, nor an employee of the Council, who has been appointed by the elected Council to be a Hearing Commissioner to conduct hearings and who has been authorised to either make decisions on behalf of, or recommendations to, the elected Council.

**Independent Hearing Commissioner List** ('the List') means a list of those persons who have been appointed and authorised by resolution of the elected Council to be Independent Hearing Commissioners.

**Internal Hearing Commissioner** means an elected member of the Council, who has been appointed by the elected Council to be a Hearing Commissioner to conduct hearings, who is appropriately accredited and who has been authorised to either make decisions on behalf of, or recommendations to, the elected Council.

**Recruitment** means the process of advertising for, interviewing and recommending Independent Hearing Commissioners to the elected Council for appointment.

**Selection** means the selection of an appropriate Independent Hearing Commissioner from the Independent Hearing Commissioner List or an Internal Hearing Commissioner to hear a specific matter on behalf of the elected Council.

*NB: All statutory references are references to the Resource Management Act 1991 unless stated otherwise.*

## **4 Policy Statement**

### **4.1 Appointment to Independent Hearing Commissioners List**

Council will maintain a list of Independent Hearing Commissioners who collectively have the range of skills needed for future hearings. There is no set number of Independent Hearing Commissioners that can be included on the List. However, it is recommended that 10 to 15 Independent Hearing Commissioners be included to meet potential demand.

Council will review this list every three years, following the triennial local body elections, or as required to assess if there are any specialist skills required that are not available in the existing pool.

Council will advertise for applications from Independent Hearing Commissioners to be on the List every three years following the triennial local body elections, or as required. This may be advertised in numerous ways but will always include a notice in a newspaper circulating in the district.

Applicants should complete the Standardised Commissioner Curriculum Vitae ([Appendix 1](#)) which may be accompanied by a full curriculum vitae and such other supporting information as the applicant desires.

Skilled persons sought will generally have some legal, planning, community, political, scientific, technical, landscape, heritage, ecological, urban design, engineering or tikanga knowledge and experience. Their previous work should demonstrate sound unbiased decision making, effective

report writing and analytical skills and demonstrate process of thought (i.e. how and why the decision was reached).

#### **4.1.1. Panel members**

Final approval and listing will be based on the following attributes:

- a) Mandatory Pass or Fail
  - Must be accredited by the Ministry for the Environment as a RMA Commissioner with evidence provided.
  - Must accept terms and conditions of contract.
  - Applicants must provide written acceptance of proposed charge-out rates.
- b) Relevant skills 40% ranking
  - Ability and experience to undertake work successfully and efficiently on a hearing panel or as the sole Commissioner.
  - Ability to assess information and facts, with a working knowledge of the RMA.

Sufficient cultural, legal, planning or technical background and wide experience across a range of matters anticipated to arise in future hearings e.g. tikanga Māori, coastal development, engineering, landscape architecture.
- c) Relevant experience 40% ranking
  - Ability to assess information, with a working knowledge of the RMA.
  - Have been involved in projects with successful outcomes over last five years.
  - Sound references.
  - Demonstrate other relevant life experience e.g. experience operating a local business, developing properties or managing a farming operation.
- d) Local knowledge 20% ranking
  - Local knowledge particularly knowledge of local strategic documents e.g. District Plan and Regional Policy Statement.

#### **4.1.2. Panel chairs**

Independent Hearing Commissioners who are endorsed as Chair by the Ministry for the Environment will also be required.

Final approval and listing of Chairs will be based on the following attributes:

- a) Mandatory Pass or Fail
  - Must be accredited by the Ministry for the Environment as a RMA Commissioner with evidence provided of Chair endorsement.
  - Must accept terms and conditions of contract.
  - Applicants must provide written acceptance of proposed charge-out rates.
- b) Report writing skills 20% ranking
  - Proven ability to write good reports including effective analysis, demonstration of process of thought and clear written decisions.

- c) Relevant skills 30% ranking
  - Ability and experience to undertake work successfully and efficiently when chairing a Hearing Panel.
  - Ability to assess information and facts, with a working knowledge of the RMA.
  - Sufficient cultural, legal, planning or technical background and wide experience across a range of matters anticipated to arise in future hearings e.g. tikanga Māori, coastal development, engineering, landscape architecture.
- d) Relevant experience 30% ranking
  - Experience in assessing information, with a working knowledge of the RMA.
  - Have been involved in projects with successful outcomes over last five years, as a Commissioner and as a Chair.
  - Sound references.
  - Demonstrate other relevant life experience e.g. experience operating a local business, developing properties or managing a farming operation.
- e) Local knowledge 20% ranking
  - Local knowledge particularly knowledge of local strategic documents e.g. District Plan and Regional Policy Statement.

All applicants who demonstrate that they have the above attributes will be put forward to a Council meeting for a resolution that they be approved and included on the List. This resolution appointing Independent Hearing Commissioners to the List will include conferring on them the necessary delegations under the RMA e.g. section [34A\(1\)](#). Once approved by Council, final contracts will be issued to the successful Independent Hearing Commissioners.

## 4.2 Internal Hearing Commissioners List

The Council will maintain a list of current elected members who are accredited to serve as Internal Hearing Commissioners. The Council will review this list every three years, following the triennial local body elections, or as required. Training will be offered to elected members who are interested in becoming Hearing Commissioners. On the successful completion of the Ministry for the Environment Making Good Decisions training programme, the elected member will be listed as an Internal Hearing Commissioner.

## 4.3 Appointment of Independent Hearings Commissioners to a Hearings Panel

When appointing Independent Hearing Commissioners to hear an application, appeal etc., Staff will follow these steps:

- a) Review the List and shortlist those Independent Hearing Commissioners who have the relevant subject knowledge, necessary skills and experience to hear a consent application or plan change.
- b) Arrange the Independent Hearing Commissioners on the short list in alphabetical order and further prioritise them based on additional disbursements they will incur i.e. those who will incur less travel and accommodation costs will be ranked higher than those who will incur higher costs.

- c) Contact the Independent Hearing Commissioners on the short list one after the other in order (as per above), to confirm their availability. In the event that the first on the short list refuses, staff will check the availability of the next person on the short list and so forth in order until an Independent Hearing Commissioner is found to be available.
- d) If selection is required for another hearing panel and the same names are selected for the short list, the listing order will start from where it finished for the previous selection process (i.e. the person who accepted the position last time shall be the last to be offered the position next time), so that the equal opportunity is afforded to all those on the List.
- e) Council reserves the right to appoint Independent Hearing Commissioners who are not on Council's List to a hearing panel on a case by case basis. This will typically only be done for hearings where the necessary subject knowledge to hear an application cannot be sourced from the List. In such cases, the appointment and delegation must be approved by Council resolution.
- f) The Independent Hearing Commissioners appointed to any given hearing panel and the process used to appoint them shall be disclosed to the public and communicated to the applicant.
- g) Council staff will record when an Independent Commissioner is used, including what knowledge was required, the short list and why selected. This information will be made available upon request.
- h) At least one of the hearing panel Commissioners must have an understanding of tikanga Māori and the perspective of local iwi or hapū.

#### **4.4 Appointment of Internal Hearing Commissioners to a Hearings Panel**

Suitably qualified elected members of the Council may be appointed to serve as Internal Hearing Commissioners provided they:

- a) Fulfil the accreditation requirements of the RMA by holding a current Ministry for the Environment certificate under the Making Good Decisions programme.
- b) Do not have any actual or perceived conflict of interest or potential bias.
- c) Are able to take on the workload involved (e.g. the need to read through and analyse all submissions).
- d) Can be available as required for the duration of the hearing and any work associated with supporting the Chair to write the decisions report.

Subject to the other requirements of this policy (e.g. conflict of interest) and availability, elected members may be appointed to serve as Internal Hearing Commissioners on hearing panels of two or more panel members.

The panel Chair shall be an Independent Hearing Commissioner. Where the hearing panel consists of an even number of members, the Chair shall have a casting vote.

Qualified Internal Hearing Commissioners will be contacted in alphabetical order, to confirm their availability for a hearing. In the event that the first person refuses, staff will check the availability of the next person and so forth in order, until the required number of Internal Hearing Commissioners is selected.

If selection is required for another hearing panel, the listing order will start from where it finished for the previous selection process (i.e. the person who accepted the position last time shall be the last to be offered the position next time), so that an equal opportunity is afforded to all.

Appointment of an Internal Hearing Commissioner to a hearing panel shall be by Council resolution, with that resolution to include the necessary delegations under the RMA.

#### **4.5 Disputes over Appointments**

Where any person wishes to dispute one or more appointments under 4.3 and 4.4 to the hearing panel, the matter shall be referred to the Chief Executive Officer of the Council for resolution.

#### **4.6 Independent Hearing Commissioner Remuneration to be Standardised**

Independent Hearing Commissioners' remuneration shall be standardised and will be reviewed not less than every three years.

All Independent Hearing Commissioners must agree to these standard rates as part of their contract when being appointed to the List. Disbursements such as travel and accommodation expenses shall be negotiated individually.

In such cases that Independent Hearing Commissioners with special skills are required and are not available through the List, Council shall engage and remunerate such Commissioners at a rate agreed between Council and that Commissioner. In the event that the agreed rate is higher than the standard rates, the agreed rate must be approved by Council's Chief Executive Officer.

The Council will on-charge remuneration costs to applicants or submitters as the case may require.

*NB: Remuneration for Internal Hearing Commissioners is set by the current Local Government Members Determination.*

#### **4.7 Independent Hearing Commissioners on non RMA Hearing Panels**

Beyond the RMA, there are numerous situations within local government which require consultation and the presenting of submissions to a hearing e.g. Bylaws, Reserve Management Plans and the Long Term Plan.

These hearings may be heard by the full elected Council or by a hearing panel consisting of a subset of elected members. Depending on the situation, the elected Council may delegate the function to hear and make decisions and then report back, or delegate to hear and make recommendations to the elected Council, for the elected Council to adopt. Non-elected members may also be appointed, by resolution of the elected Council, to sit on these hearing panels alongside elected members. These individuals may be representatives from Mana Whenua, members of a Council Committee (e.g. the Taharoa Domain Governance Committee) or Independent Hearing Commissioners depending on the nature of the matter being discussed.

This Policy directs that one or more Independent Hearing Commissioners may be appointed to non RMA hearings panels where Council determines that specialist expertise would benefit the panel's deliberations.

*NB: Elected members serving on non RMA hearings panels are acting as elected members, not as Internal Hearing Commissioners, and as such no special qualifications are required.*

#### 4.8 Appendix 1: Standardised Hearing Commissioner Curriculum Vitae

Hearing Commissioner Contact Details																												
<b>Name:</b>																												
<b>Company</b>																												
<b>Contact Phone:</b>	<b>Mobile:</b>	<b>Work:</b>																										
<b>Contact E-mail:</b>																												
<b>Relevant Qualifications</b>																												
<b>Address:</b>	<b>Postal:</b>	<b>Physical:</b>																										
	<b>Post Code:</b>																											
<b>Identify the last five Hearings you have been involved in.</b>	<b>Hearing Title</b>	<b>Date</b>	<b>Organisation</b>	<b>Outcome</b>																								
<b>References:</b>																												
Please <b>tick</b> your relevant areas of expertise: <table border="0" style="width: 100%;"> <tr> <td><input type="checkbox"/> Chair</td> <td><input type="checkbox"/> Subdivision Consents</td> <td><input type="checkbox"/> Extraction/mining/basic raw materials</td> </tr> <tr> <td><input type="checkbox"/> Panel Member</td> <td><input type="checkbox"/> Heritage Issues</td> <td><input type="checkbox"/> Forestry.</td> </tr> <tr> <td><input type="checkbox"/> Mediation</td> <td><input type="checkbox"/> Landscape Issues</td> <td><input type="checkbox"/> Transport/Traffic</td> </tr> <tr> <td><input type="checkbox"/> Legal Issues</td> <td><input type="checkbox"/> Urban design</td> <td><input type="checkbox"/> Hazardous Substances</td> </tr> <tr> <td><input type="checkbox"/> Tikanga Māori</td> <td><input type="checkbox"/> Kiwi protection</td> <td><input type="checkbox"/> Financial Contributions</td> </tr> <tr> <td><input type="checkbox"/> Treaty of Waitangi Settlement obligations</td> <td><input type="checkbox"/> Natural features/geology</td> <td><input type="checkbox"/> Land Use Consents</td> </tr> <tr> <td><input type="checkbox"/> Planning Policy – Plan Changes</td> <td><input type="checkbox"/> Ecology Issues</td> <td><input type="checkbox"/> Other, please specify:</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Noise/Acoustic</td> <td></td> </tr> </table>					<input type="checkbox"/> Chair	<input type="checkbox"/> Subdivision Consents	<input type="checkbox"/> Extraction/mining/basic raw materials	<input type="checkbox"/> Panel Member	<input type="checkbox"/> Heritage Issues	<input type="checkbox"/> Forestry.	<input type="checkbox"/> Mediation	<input type="checkbox"/> Landscape Issues	<input type="checkbox"/> Transport/Traffic	<input type="checkbox"/> Legal Issues	<input type="checkbox"/> Urban design	<input type="checkbox"/> Hazardous Substances	<input type="checkbox"/> Tikanga Māori	<input type="checkbox"/> Kiwi protection	<input type="checkbox"/> Financial Contributions	<input type="checkbox"/> Treaty of Waitangi Settlement obligations	<input type="checkbox"/> Natural features/geology	<input type="checkbox"/> Land Use Consents	<input type="checkbox"/> Planning Policy – Plan Changes	<input type="checkbox"/> Ecology Issues	<input type="checkbox"/> Other, please specify:		<input type="checkbox"/> Noise/Acoustic	
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<input type="checkbox"/> Planning Policy – Plan Changes	<input type="checkbox"/> Ecology Issues	<input type="checkbox"/> Other, please specify:																										
	<input type="checkbox"/> Noise/Acoustic																											

# KDC COMMISSIONERS

Commissioner	Valid Till	Contact Details	Area of Expertise	Availability March 2023
Melean Absolum 372B Waikaramu RoadWaimate North, RD2 Kaikohe,0472	31 December 2023✓	<a href="mailto:melean@maltd.co.nz">melean@maltd.co.nz</a> 09 837-0603 027 448 7733	Landscape architecture, landscape assessment	Available
Dr Lee Beattie 15 Maxwell Ave. Grey Lynn Auckland 1021	30 June 2024✓ Chair endorsed	<a href="mailto:l.beattie@auckland.ac.nz">l.beattie@auckland.ac.nz</a> 021 272 0775		Available
Justine Bray PO Box 36-542 Northcote Auckland 0748	31 December 2023✓ Chair endorsed	<a href="mailto:Justine.Bray@xtra.co.nz">Justine.Bray@xtra.co.nz</a>	Planning, designations, social impact assessment	Not available
Philip Brown 56 Brown Street Ponsonby Auckland	31 December 2024✓ Chair endorsed	<a href="mailto:philip@campbellbrown.co.nz">philip@campbellbrown.co.nz</a> 9 378 4936 021 845 327	All aspects of planning and resource management, including resource consenting and plan development	Not Available
Michael Campbell C/- Campbell Brown Planning Limited PO Box 147-001 Ponsonby Auckland 1144	30 June 2024✓	<a href="mailto:michael@campbellbrown.co.nz">michael@campbellbrown.co.nz</a> 09 394 1696 021 278 9018		Available
Mark Farnsworth 28 Estuary Drive Mangawhai 0505	30 June 2023✓ Chair endorsed	<a href="mailto:markcf60@gmail.com">markcf60@gmail.com</a> 027 445 5968	Coastal issues, Plan Changes, Notices of Requirement, Land use and Water allocation, Good understanding Maori and RMA, Aquaculture, Panel Chair	Available
David Hill PO Box 9847 Newmarket Auckland 1149	30 June 2024✓ Chair Endorsed	<a href="mailto:d.hill@xtra.co.nz">d.hill@xtra.co.nz</a> 021822321	Planning, social science, Te Ao Maori, Environmental science	Not Available

Greg Hill PO Box 32541 Devonport Auckland 0744	31 December 2023✓ Chair Endorsed	<a href="mailto:greg.hill@xtra.co.nz">greg.hill@xtra.co.nz</a> 09 445 1820 021 451 1820	Planning – District (landuse and subdivision) and Regional (particularly coastal management, but also air, land and water quality) and Growth Management Strategy/Issues	Not Available
Michael Lester 57 Duart Road Havelock North Hastings 4130	30 June 2023✓ Chair Endorsed	<a href="mailto:mickandjanelester@gmail.com">mickandjanelester@gmail.com</a> 06 875 8080 0275 460 755		Available
Burnette O'Connor 5 Lilburn Street Warkworth 0941	30 June 2027 Chair Endorsed	<a href="mailto:burnette@thepc.co.nz">burnette@thepc.co.nz</a> 09 422 3336 021 422 346	All aspects of resource management planning - resource consents, plan changes	Available
Bill Smith 19 Pacific Parade Army Bay Hibiscus Coast	30 June 2023✓ Chair Endorsed	<a href="mailto:billyjeanssmith@xtra.co.nz">billyjeanssmith@xtra.co.nz</a> 09 424 1492 021 868 434	Local Government	Available
Sheena Tepania 3 Gulliver Place Conifer Grove Takanini Auckland 2112	30 June 2026 Chair endorsed	<a href="mailto:sheenatepania@gmail.com">sheenatepania@gmail.com</a> 0275621840	Law, Resource Management, Mataranga Maori, Iwi Environmental Management, Treaty Issues	Not Available
Alan Watson 72 Onetaunga Road Chatswood Birkenhead Auckland	30 June 2023✓ Chair Endorsed	<a href="mailto:arwatson@xtra.co.nz">arwatson@xtra.co.nz</a> 027 4997266	Planning and resource management, chair of hearings panels	Not Available

# **Private Plan Change 82 Moonlight Heights: Decision to adopt, accept or reject the plan change or determine it as a resource consent**

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Paul Waanders, District Planner

## **Purpose | Ngā whāinga**

To decide whether the application for a Private Plan Change by Moonlight Heights Limited is adopted, accepted, rejected, or be determined as if it was a resource consent application.

## **Executive summary | Whakarāpopototanga**

Private Plan Change 82 requests to rezone 39.2 hectares of land at Awakino Road, Dargaville to a residential precinct to protect ecological features, promote high quality urban design and to provide open space and connectivity.

Council is required to make a decision on this application in accordance with Clause 25 of Part 2 of Schedule 1 to the RMA.

Clause 25 directs Council to either;

1. **Adopt** the request in whole or in part as if it were a proposed plan made by the Council, which must then be processed in accordance with the provisions of Part 1 of Schedule 1 Clause 25(2)(a); or
2. **Accept** the Private Plan Change request, in whole or in part, which then triggers a requirement to notify the request, or part of the request under Clause 25(2)(b); or
3. **Reject** the Private Plan Change request in whole or in part, in reliance on one of the limited grounds set out in Clause 25(4); or
4. **Determine** the request as if it were an application for a resource consent under Clause 25(3).

Staff have followed all due RMA processes to get to this stage and are now seeking a Council decision on the application within the parameters of Clause 25. It is important to note that neither 'adopt' or 'accept' implies that the plan change is or will be 'approved' by Council. The process of consultation through notification and hearings must be undertaken before the matter is submitted to Council for a decision.

## **Recommendation | Ngā tūtohunga**

That Kaipara District Council:

- a) Accepts in whole, the private plan change request (Private Plan Change 82 – Moonlight Heights), in accordance with Clause 25(2)(b) of the Resource Management Act 1991.
- b) Requests the Chief Executive publicly notifies the Private Plan Change and that public notification commences on 17 January 2023
- c) Notes that public consultation will occur for one month, ending 17 February 2023.

## Context | Horopaki

Clause 21 of Schedule 1 of the RMA provides that “any person” may request a change to the District Plan.

The Private Plan Change was lodged by the Moonlight Heights Limited, proposing to rezone land at Awakino Road, Dargaville from “Rural” to a “Development Area” providing for “Residential development” (see **Attachment A**).

The RMA prescribes the process the Council must follow for dealing with these requests to change the Operative District Plan which includes:

- An assessment of the submitted documentation following by a request for additional information to better understand the potential effects on the environment, the ways in which any adverse effects may be mitigated, and the nature of any consultation undertaken or required to be undertaken. (Clause 23 Schedule 1 RMA);
- In terms of Clause 25 Schedule 1, and after Council is satisfied with the additional information requested, Council needs to decide if it will “accept”, “adopt” or “reject” the requested Plan Change in whole or in part;
- Council then needs to notify the Plan Change with or without amendments.
- After notification and the receipt of submissions, a hearing is conducted; and then
- Council will consider the recommendations and make a decision to “approve” or “decline” the plan change.

This report only deals with the decision the Council must make under Clause 25 – to ‘accept’, ‘adopt’ or ‘reject’ the plan change request or treat it as a resource consent application.

## Discussion | Ngā kōrerorero

Private Plan Change 82 Moonlight Heights is a request to rezone 39.2 hectares of land at Awakino Road, Dargaville to Residential Zoning.

The plan change seeks to rezone the Operative District Plan to a Residential Zone and apply a bespoke Awakino Precinct and adapt the Residential Chapter in respect of rules that affect the plan change area.

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.

Clause 21 of Schedule 1 of the RMA provides that “any person” may lodge a private plan change request with the Council. The Council is then required to make a decision under Clause 25, with requires Council to choose between 1 of the 4 following options:

1. **‘Adopt’** the request, or part of the request, which means the request then becomes a Council or public plan change;
2. **‘Accept’** the request, or part of the request, in which case it remains a Private Plan Change;
3. **‘Reject’** the request, or part of the request on one of the limited grounds set out in Clause 25(4) of Schedule 1, RMA;
4. **‘Change’** the plan change request into a resource consent application.

The options to either ‘adopt’ or ‘accept’ does not imply that Council has approved (i.e granted) the plan change. Consultation through notification and hearings is still required to be undertaken before the matter is submitted to Council for a decision on the plan change.

The matter of ‘adopting’ or ‘accepting’ the application **‘in part’** needs to be assessed. It is technically possible for Council to make different decisions on the different elements of the application.

However, the application was submitted comprehensively, and it would be expected that the whole application be considered as a 'complete package' from the outset. It is best practice to keep the application intact, whilst deciding an application in part is technically an option, it is very rare or never happens. It would lead to public confusion as well as the council/community 'picking up the costs' for part of the application and the applicant paying for the remainder of the plan change.

Assessing the application for 'adopting' or 'accepting' 'in part' is not recommended.

The decision now required from Council is to enable the process to continue (to public notification for submissions on the plan change followed by a hearing) or be terminated (rejected).

Any decision of Council including one on considering the application 'wholly' or 'in part' can be appealed by the applicant to the Environment Court<sup>1</sup>. Therefore, the four options must be considered and analysed against information received from the applicant and the legal requirements of the RMA.

### Option 1

**'Adopt'** the request, or part of the request, as if it were a proposed plan change made by the Council itself - under Clause 25(2)(a) of Schedule 1 of the RMA.

The Council can decide to adopt the request, and process it, as though it were a Council initiated plan change. A decision to adopt triggers the process set out in Part 1 of Schedule 1, which would then require the Council to consult as required in clauses 3 to 3C of Part 1. Following consultation, the Council would then need to notify the proposed plan change for submissions and conduct a hearing into submissions.

It is also relevant to note that the applicant has not requested that the Council adopts the Private Plan Change. It is also important to note that this option results in the Council (and therefore the wider community) paying for the full cost of the plan change request. It is difficult to provide an estimate of costs at this stage of the process because there are many variables that dictate costs, but the estimate would be in the 'hundreds of thousands' of dollars.

For the above reasons, it is not recommended that the Council adopts the private plan change.

### Option 2

**'Accept'** the Private Plan Change request under Clause 25(2)(b) of Schedule 1 of the RMA and proceed to notify the request under Clause 26.

If the Council accepts the request, it must then proceed to publicly notify the request for submissions. After the submission period closes, Council needs to hold a hearing to consider any submissions, and a decision would then be made by the Council in relation to the request in accordance with Schedule 1 of the RMA. Importantly, all costs associated with the request (including notification and any hearing) would rest with the applicant (and therefore not the wider community).

**This is the recommended option** and is the option sought by the applicant.

### Option 3

**'Reject'** the Private Plan Change request - clause 25(4), Schedule 1, RMA.

The Council has the power to reject a Private Plan Change request, in reliance on one of the limited grounds set out in Clause 25(4) the RMA. If the Private Plan Change request is rejected by the Council, the applicant can appeal that decision to the Environment Court.

The grounds for rejection under Clause 25(4) are as follows:

- a) the request or part of the request is frivolous or vexatious; or

- b) within the last two years, the substance of the request or part of the request has been considered and given effect to, or rejected by, the local authority or the Environment Court; or has been given effect to by regulations made under Section 360A; or
- c) the request or part of the request is not in accordance with sound resource management practice; or
- d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
- e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.

The Private Plan Change request contains a comprehensive section 32 evaluation report (**Attachment B**), including an assessment of the objectives and policies, and a sufficiently detailed assessment of environmental effects. The request is also accompanied by a range of specialist assessments in relation to the key matters considered to be material to the request, including transport, three waters, economic, ecology, geotechnical, urban design, and landscape.

The request enables the nature of the plan change and its effects to be reasonably understood. It is therefore considered that the Council cannot reject the Private Plan Change request on the basis that it is frivolous or vexatious.

This private plan change has not been considered within the last two years and therefore it is considered that the Council can not reject the request on this basis.

The substance of the Private Plan Change or part of the request, being rezoning land does not relate to section 360A of the RMA which refers to regulations for amending regional coastal plans pertaining to aquaculture activities. It is therefore recommended that the Council not reject the request on the basis of this matter.

"Sound resource management practice" is a frequently used term but is not defined in the RMA. Case law indicates that "sound resource management practice" relates to scale of effects and alignment of any Private Plan Change to Part 2 of the RMA, i.e. - the purpose and principles. The applicant has considered the zoning options for the site and concluded that the proposed rezoning along with the introduction of new provisions including an overlay will result in a mixed- use development. That is anticipated to positively contribute to the existing business and residential zones under the operative District Plan, while maintaining character and amenity of the area, and appropriately managing effects associated with servicing future development of the application area.

A number of specialist reports support the Private Plan Change and while parts of the Private Plan Change need to be tested through the submission and hearings process, the scope and extent of the changes sought do not, in themselves, threaten the purpose and principles of the RMA. Having reviewed the applicant's planning and specialist reports and taken the purpose and principles of RMA into account, the Private Plan Change is considered to be in accordance with sound resource management practice. It is therefore recommended that the Council not reject the Private Plan Change on the basis that it is contrary to sound resource management practice.

The Private Plan Change request will not make the operative District Plan inconsistent with Part 5 of the RMA, which sets out the role and purpose of planning documents created under the RMA including that these must assist a local authority in giving effect to sustainable management purposes of the RMA. It is therefore recommended that the Council not reject the Private Plan Change on the basis that the substance of the request would make the Operative District Plan inconsistent with Part 5 of the RMA. The Operative District Plan provisions relevant to the PPC were made Operative in 2013. The provisions have therefore been operative for more than two years, and it is recommended that the Council not reject the Private

Plan Change request on this basis.

With all this considered, it is not recommended to reject the private plan change request.

#### **Option 4**

Decide to deal with the request as if it were an application for a resource consent under clause 25(3) of Schedule 1 of the RMA. The Council can decide to deal with a Private Plan Change as if it were an application for resource consent. However, in this case, the Private Plan Change seeks to rezone the whole area to achieve an integrated development. It is considered that the most appropriate process for achieving rezoning for this development of the site is through a plan change process. Additionally, the applicants have specifically applied for a private plan change (as opposed to a resource consent/subdivision process).

It is therefore not recommended that the Council deals with the request as if it were an application for resource consent.

The recommended option is Option 2 – Accept the Private Plan Change under Clause 25(2)(b) of Schedule 1 of the RMA.

#### **Policy and planning implications**

‘Accepting’ the Private Plan Change will release the application for notification and processing of the application in accordance with the prescribed RMA process.

All factors (including public submissions and further submissions) will be considered by a Hearings Panel before Council makes its decision on the application.

#### **Financial implications**

Private Plan Changes that are ‘accepted’ by Council’s are processed with the ability to recover all costs from the applicant up to the Council’s final decision.

#### **Risks and mitigations**

If Council chose to either reject the private plan change or to treat it as a resource consent application, the applicant may appeal this decision to the Environment Court. This could lead to reputation risk for Council as well as financial costs.

#### **Impacts on Māori**

The applicant has submitted a cultural assessment which has been compiled by Te Roroa as a full Cultural Impact Assessment (CIA). This includes recommendations such as ongoing consultation with mana whenua. The CIA will form part of the notification material when the private plan change is released for public notification.

### **Significance and engagement | Hirahira me ngā whakapāpā**

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council’s Significance and Engagement Policy. The RMA does not provide for public consultation in the clause 25 Schedule 1 decision (as this is a Council only decision). No feedback is required, and the public will be informed of Council’s decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

Formal public consultation will be required after the Council has made this Clause 25 decision and public will have the ability to provide submissions on this proposal.

### **Next steps | E whaiake nei**

Statutorily, the Private Plan Change must be notified within four months of being accepted under clause 25 of Schedule 1 of the RMA (it is recommended to commence notification from 17 January 2023).

The Private Plan Change will then work its way through the process, which will

include opportunities for the public to lodge submissions and will also include public hearings.

## Attachments | Ngā tapiritanga

	Title
A	Locality and zoning maps
B	Private Plan Change 82 Moonlight Heights – s32 Evaluation Report



Figure 1: Showing the subject site in relation to Dargaville

Figure 3-1 and Figure 3-2 below shows the proposal. The Rural Zoning is green and the Residential Zoning is Yellow.

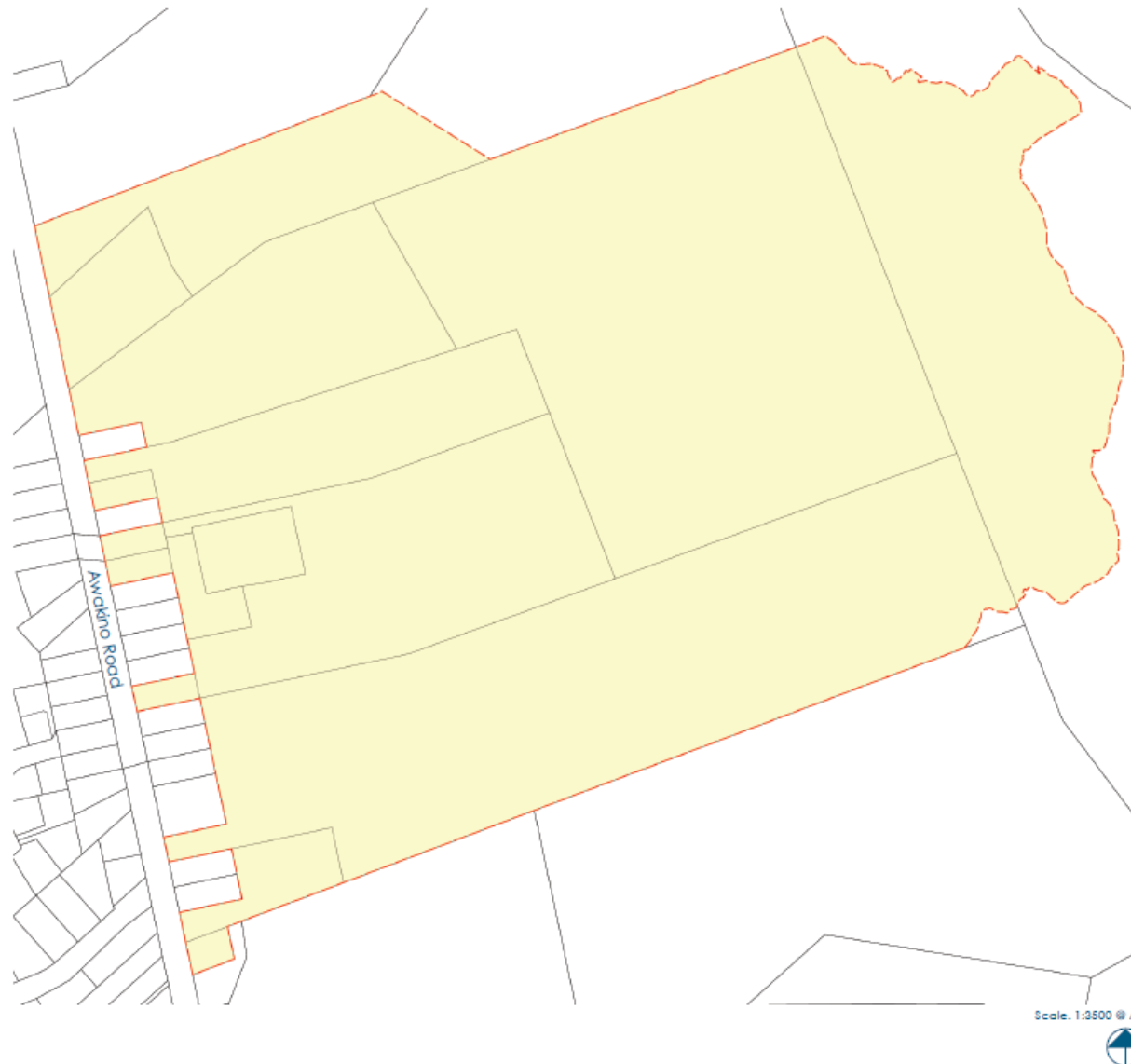


Figure 3-1: Existing Zoning



Figure 3-2: Proposed Zoning

## AWAKINO ROAD, DARGAVILLE | PLAN CHANGE | MAY 2022



### Legend:

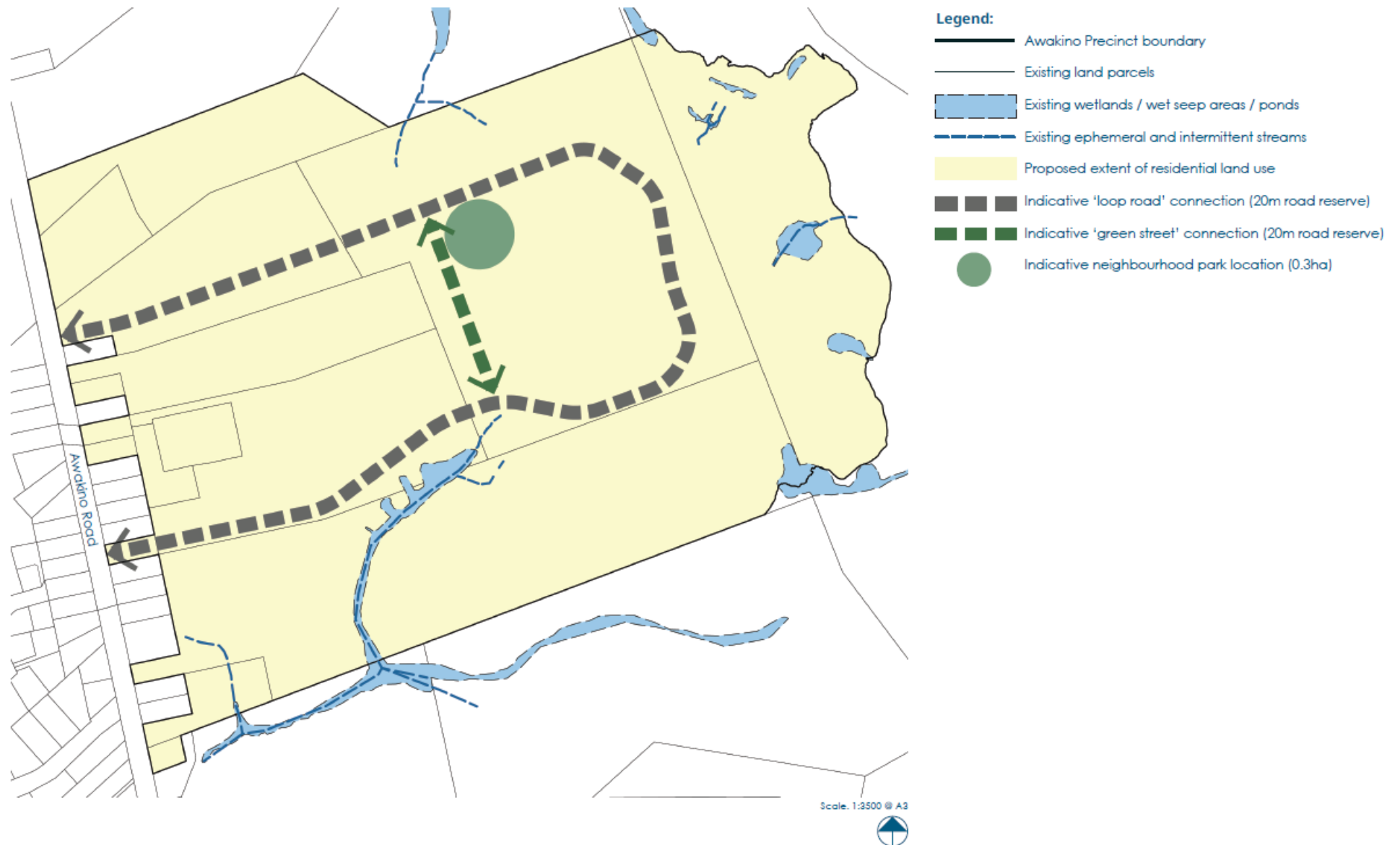
- Awakino Precinct boundary
- Existing land parcels
- Proposed extent of residential land use

Gross site area (m2) approx.	Net site area (m2) approx.	Approx. yield range (Based on 450m2 minimum lot sizes)	Approx. yield range (Based on 600m2 minimum lot sizes)
392,610.4	209,258.6	465	348

### Notes:

- » Net site area excludes all existing ecological features with a 10m buffer, possible road reserves and possible future open space.
- » Yield estimates are approximate only and will be subject to detailed design.
- » Existing site constraints have not been accounted for as part of this yield estimate.

## AWAKINO ROAD, DARGAVILLE | PRECINCT PLAN





# 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

Prepared for:  
Moonlight Heights Limited

B&A Reference:

WNG18646

Status:

Draft Revision 1

Date:

8 June 2022

Prepared by:



**Melissa McGrath**

Senior Associate, Barker & Associates Limited

Reviewed by:



**Makarena Dalton**

Associate, Barker & Associates Limited

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- Appendix 3: Land Development Report (Chester Ltd)
- Appendix 4: Transport Assessment (TPC Ltd)
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- Appendix 6: Ecological Assessment (Rural Design Ltd)
- Appendix 7: Urban Design Assessment (B&A)
- Appendix 8: Proposed Awakino Precinct provisions and track changes to Residential Zone
- Appendix 9: Assessment of Operative District Plan, Chapter 3 Land Use and Development Strategy, Appendix 3.1
- Appendix 10: Evaluation of alternative options to achieve plan change objectives
- Appendix 11: Evaluation of the efficiency and effectiveness of the Residential Zone and proposed amendments

## 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

<b>To</b>	Kaipara District Council
<b>Attention</b>	Michael Day
<b>Applicant's Name</b>	Moonlight Heights Limited
<b>Address for Service</b>	Barker & Associates Ltd PO Box 37 Whangarei 0140 Attention: Melissa McGrath Email: <a href="mailto:melissam@barker.co.nz">melissam@barker.co.nz</a>
<b>Legal Description</b>	Various - Refer to Records of Title as Appendix 1
<b>Plan Change Area</b>	39.2 hectares
<b>District Plan Zoning</b>	Residential Zone
<b>Brief Description of Proposal</b>	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.

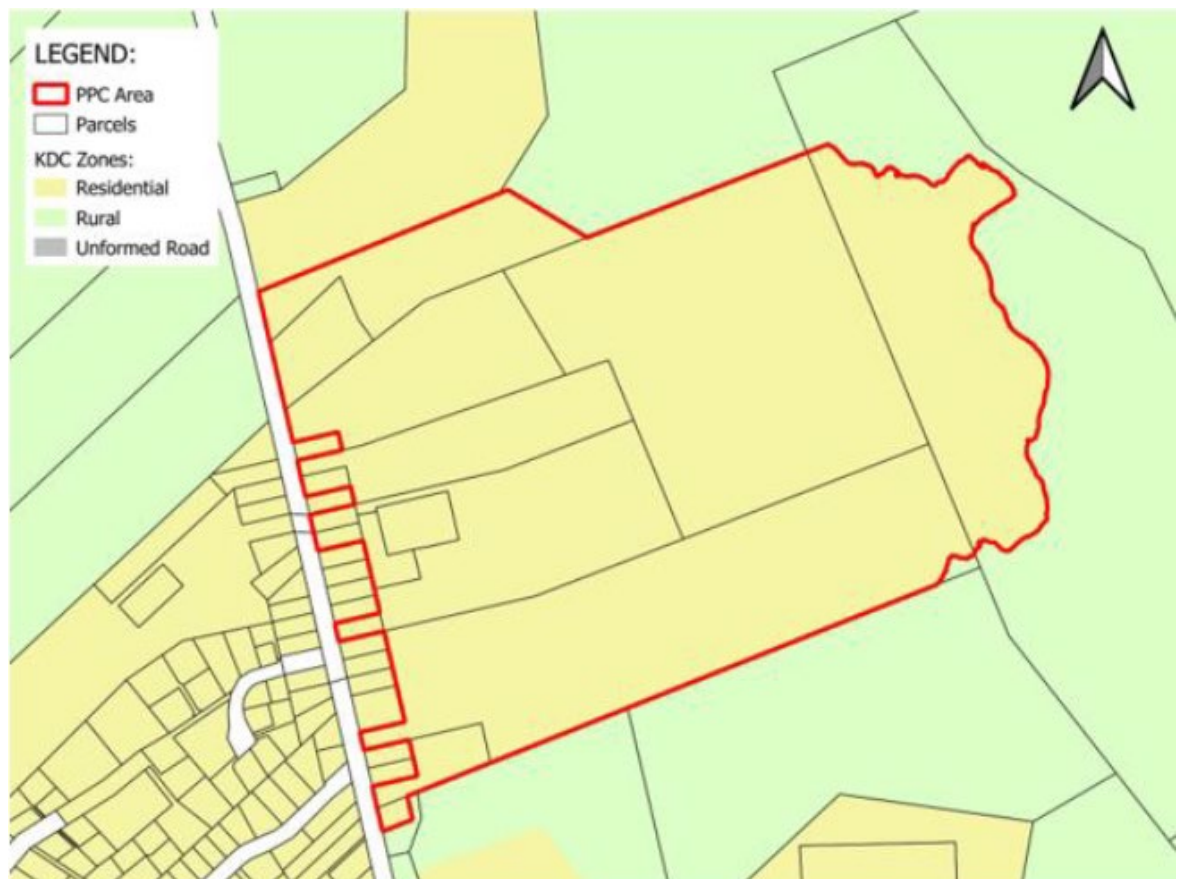
## 2.0 Introduction

### 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.

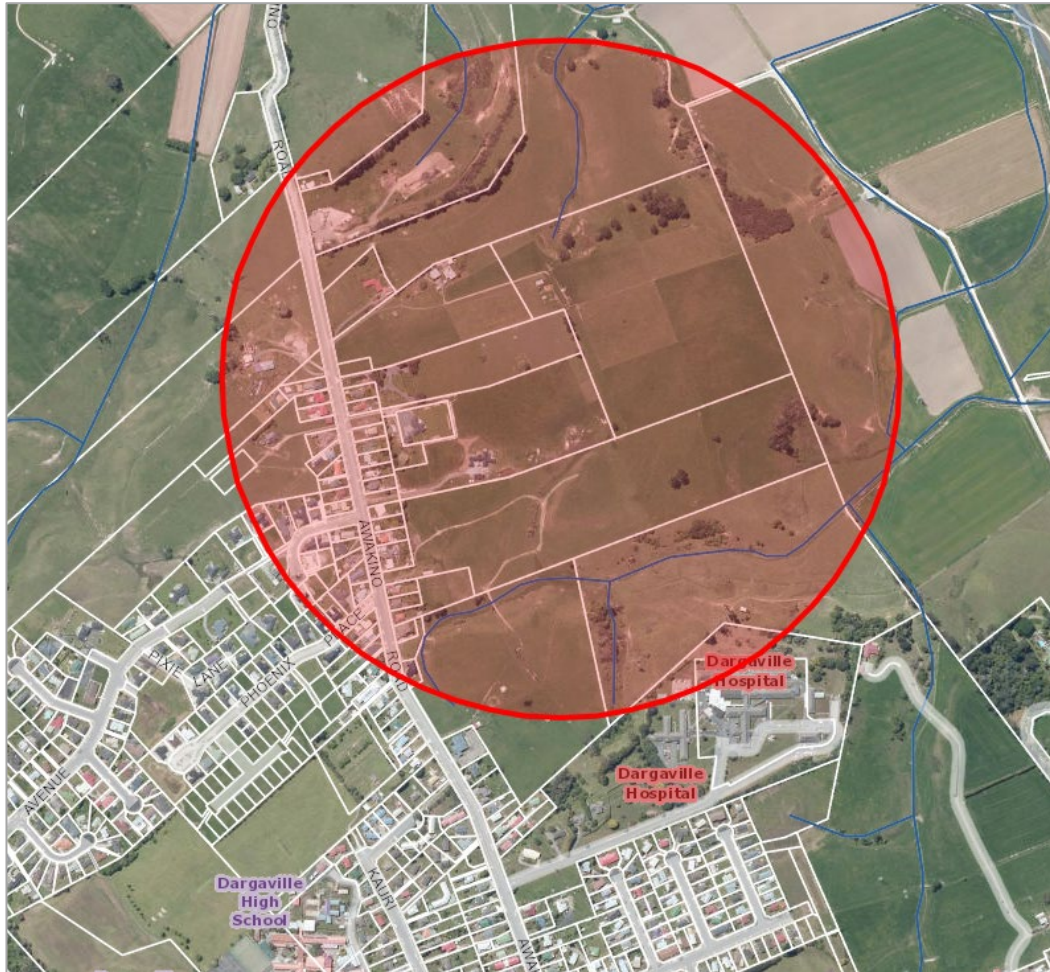
A second pre-application meeting was held on 11 April 2022 with Council Infrastructure Staff, the capacity of Council reticulated services was discussed.

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.

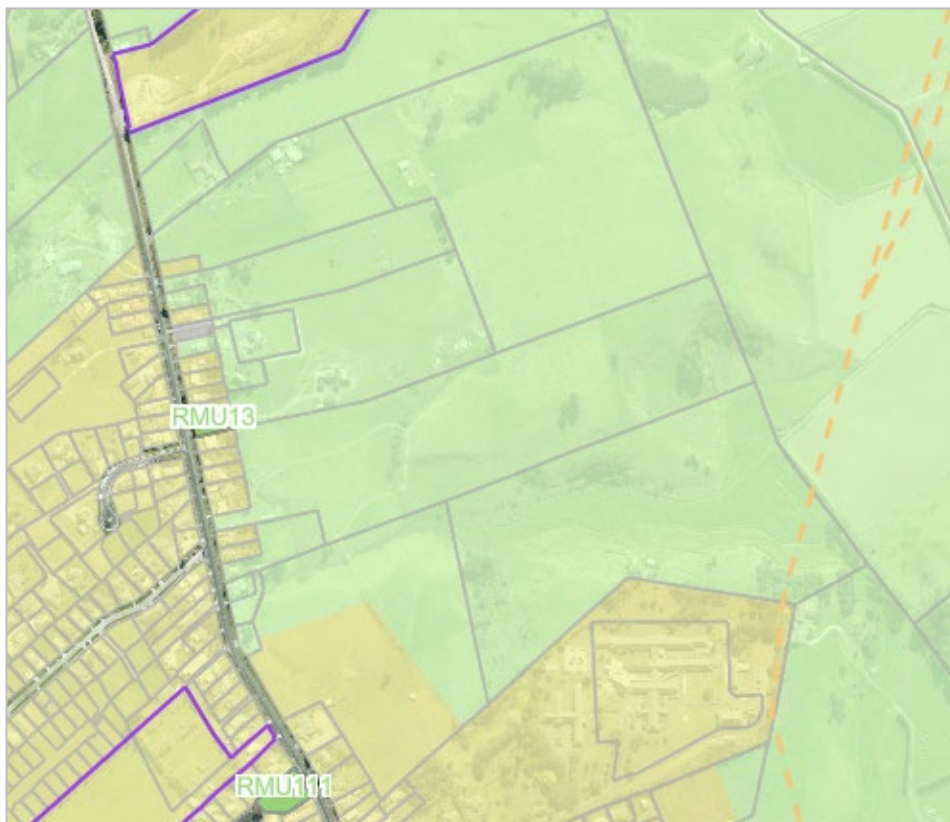
Dargaville CBD is situated approximately 2km to the south west of the plan change area, providing convenience-based retail services. Including the warehouse, supermarket, medical centre and pharmacy, as well as financial, real estate and food and beverage services.

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.



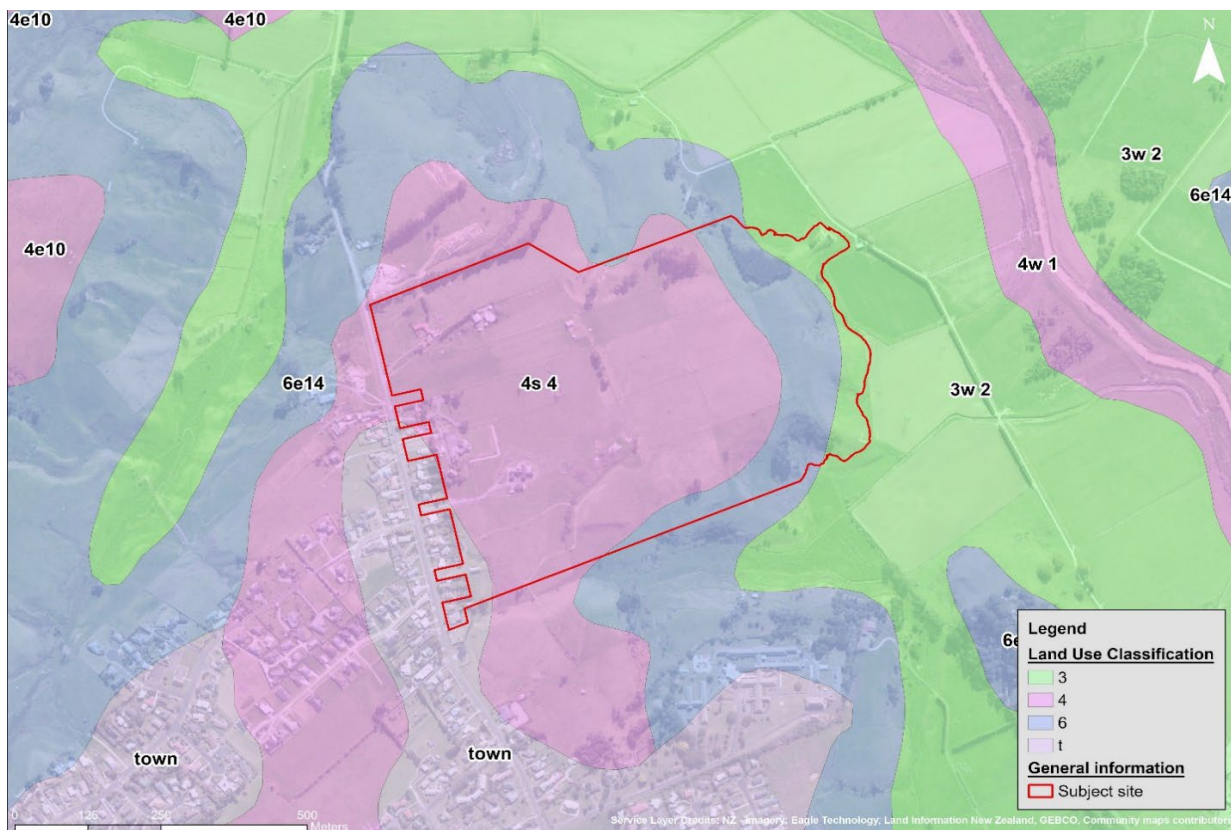
**Figure 4: KDP Zone Map (Source: KDC Website – KDP Eplan).**

### 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

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### 5.1 Description of the Proposal

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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

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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)

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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

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### 6.1 National policy documents

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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 environment<sup>1</sup> to determine whether or not the NPS-UD applies. Parts of Kaipara District fall within the definition of urban environment (Mangawhai<sup>2</sup>) 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

<sup>1</sup> 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.

<sup>2</sup> 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 (<b>Appendix 3</b>) 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>

<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>	the limited public transport but close proximity to commercial activities and community services from the plan change area.
<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>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>
<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>	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.
<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>	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

<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>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

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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

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### 7.1 Northland Regional Policy Statement

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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.<sup>3</sup>

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<sup>3</sup> 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 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

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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**

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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)**

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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
<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>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>
<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>It is considered that the plan change will not result:</p> <ul style="list-style-type: none"> <li>a. in ad hoc expansion of residential activities in the rural heartland; and</li> <li>b. in adverse effects on sensitive receiving environments.</li> </ul>
<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>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>
<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>	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.
<i>3.4.5 To provide appropriate infrastructure and servicing in advance of or alongside future residential and business development.</i>	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.
<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>	It is considered that this application and proposed precinct provisions have comprehensively addressed plan change requirements.
<i>3.4.7 To minimise potential conflicts between natural and physical limitations, including hazards and future residential and business areas.</i>	The potential natural and physical limitations of the plan change area have been considered and addressed via proposed precinct provisions as necessary.

The following policies are considered to be relevant:

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

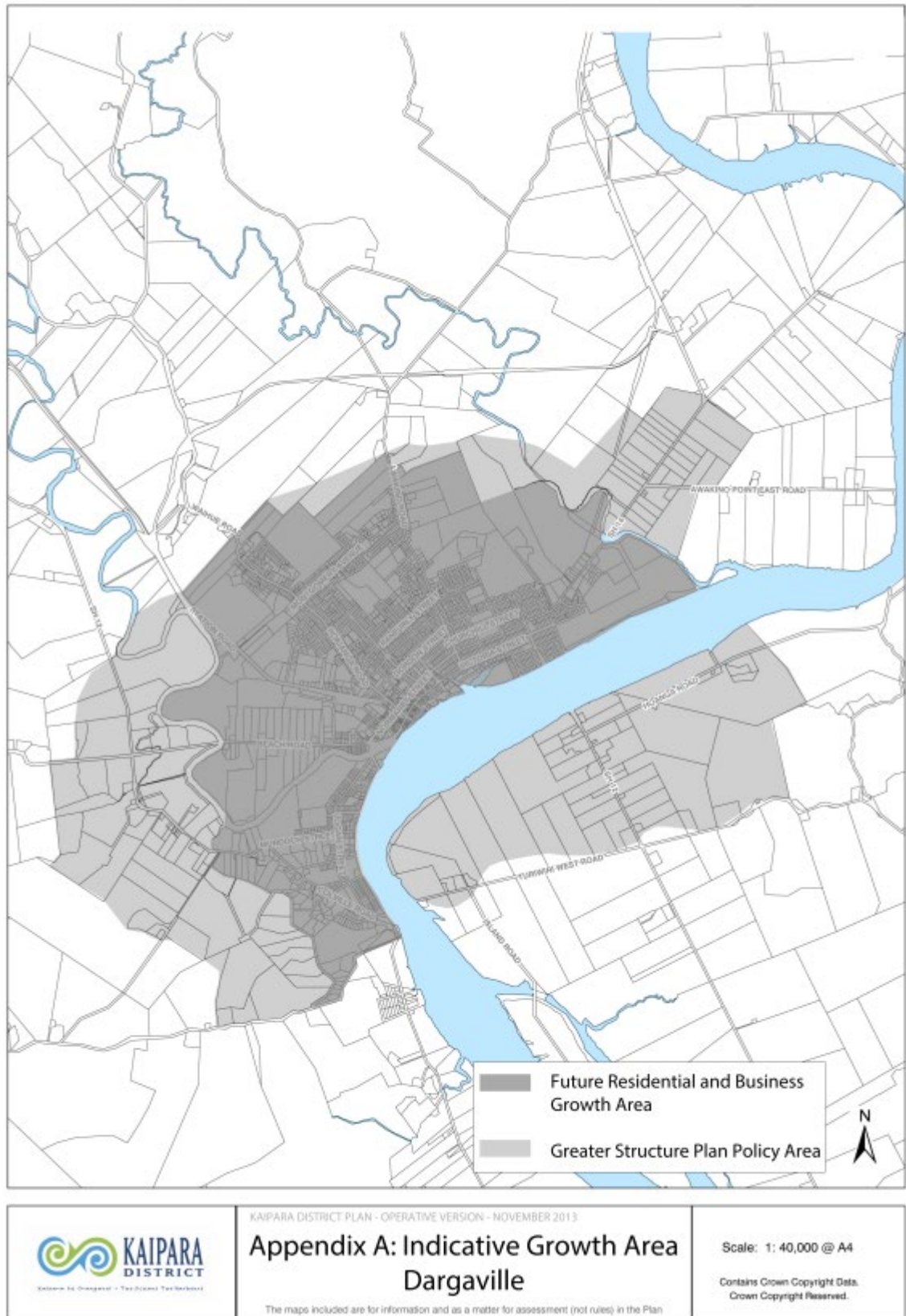
KDP Chapter 3 Policy	Comment
<i>3.5.1 By providing for clear direction and certainty for a range of residential and</i>	It is considered that the plan change is in accordance with the KDP direction for residential land use activities.

<i>business land use activities throughout the Kaipara District.</i>	<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>
<i>3.5.2 By establishing standards for minimum site sizes, for each Zone in the District</i>	<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>
<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>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>
<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>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>
<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>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>

<i>development, so that any adverse effects on the environment or existing systems are adequately avoided, remedied or mitigated.</i>	appropriate infrastructure can be provided at the time of development to avoid, remedy or mitigate potential adverse effects.
<p><i>3.5.6 By requiring new residential and business development to comprehensively consider (on a catchment wide basis) potential:</i></p> <p><i>a) Adverse effects on the natural character of the coastal environment, lakes, rivers, wetlands or their margins;</i></p> <p><i>b) Adverse effects on areas of significant indigenous vegetation or significant habitats of indigenous fauna;</i></p> <p><i>c) Adverse effects on outstanding natural features, landscapes and heritage resources;</i></p> <p><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></p> <p><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></p> <p><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></p> <p><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.

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.

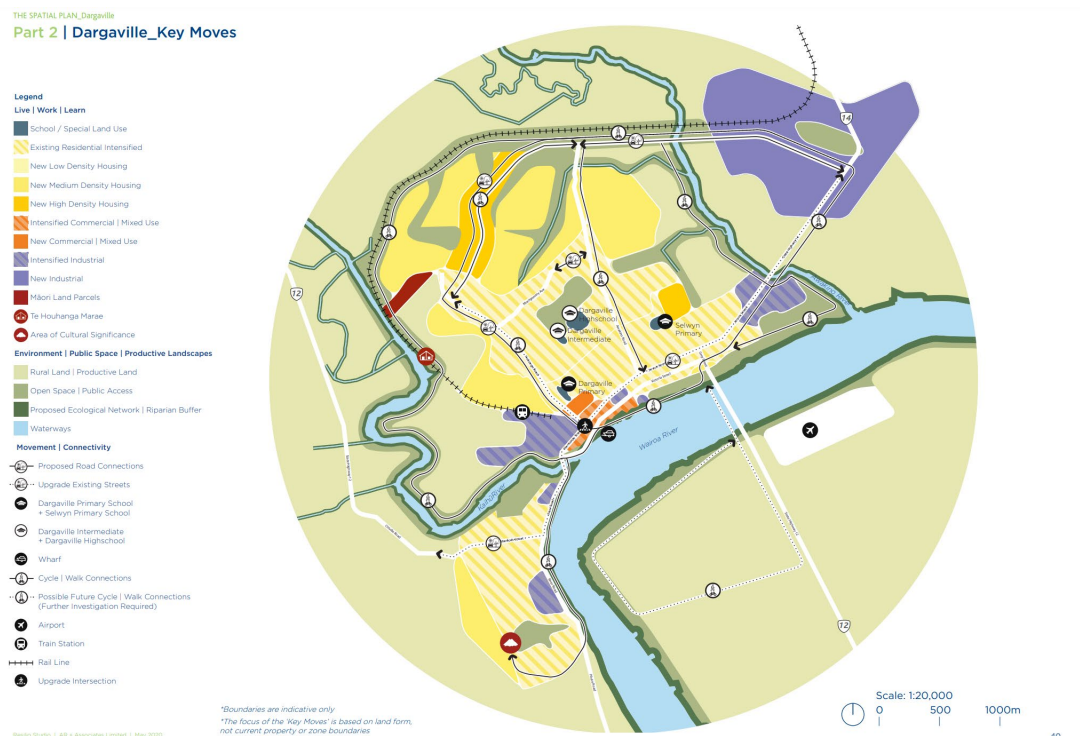
The plan change seeks to implement Kaipara District Spatial Plan, providing residential capacity within a location identified in the DSP.

### 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:

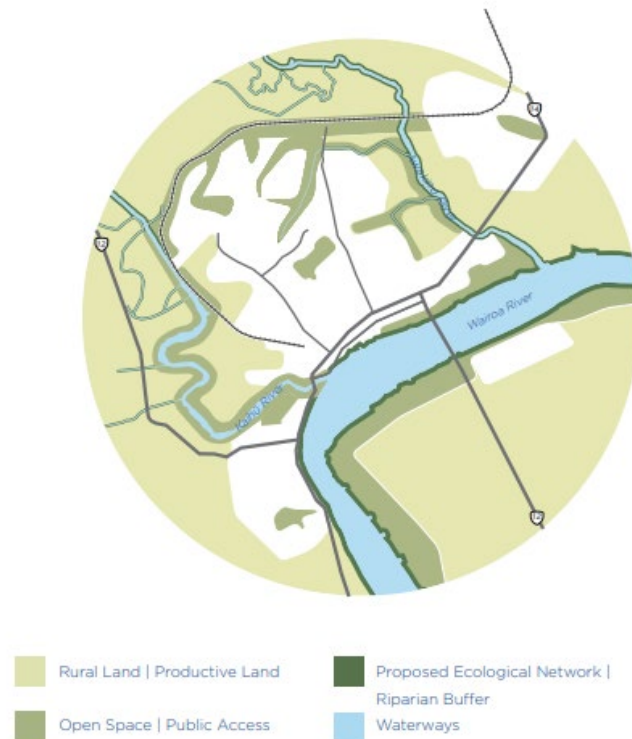


**Figure 7: Dargaville Key Moves Plan (Source: DSP)**

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:

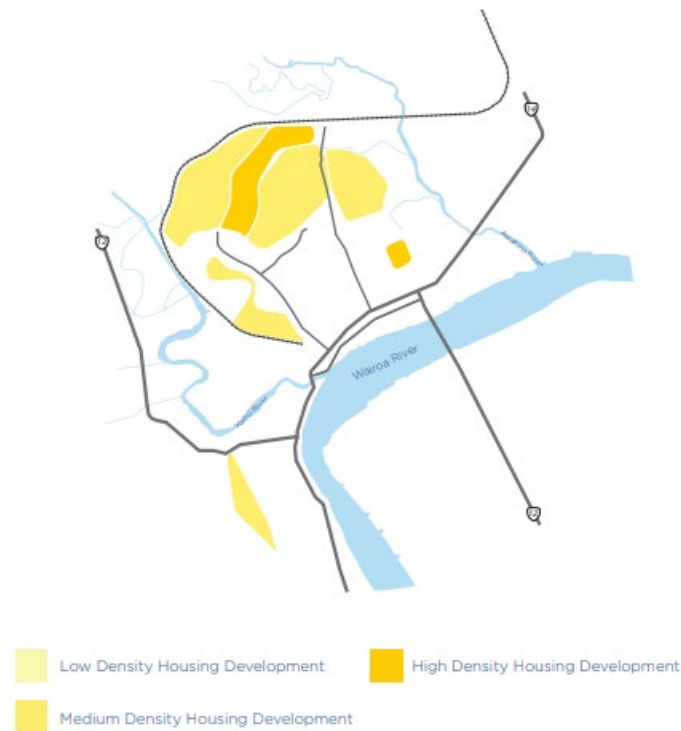


**Figure 8: Green, Blue and Brown Network (Source: DSP)**

**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 450m<sup>2</sup> and an average lot size of 600m<sup>2</sup>. The DSP anticipates a “medium density housing” within this location providing for mixed density of 450m<sup>2</sup> to 750m<sup>2</sup> 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- 750m<sup>2</sup> 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
<b>Total</b>	<b>9,962</b>	<b>14,602</b>	<b>4,640</b>

**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:<sup>4</sup>

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

In terms of Treaty of Waitangi settlement process all groups have completed the process except Ngātiwai<sup>5</sup>. 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".<sup>6</sup> The plan change area is located within the Te Roroa rohe.

The relevant parts of these plans are discussed below.

<sup>4</sup> 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.

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

<sup>6</sup> 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	<ul style="list-style-type: none"> <li>- The Mangawhai Marginal Strip</li> <li>- Oruawharo River Stewardship Area</li> <li>- Pouto Stewardship Area</li> <li>- Pukekararo Scenic Reserve</li> <li>- Kaipara Harbour</li> <li>- Mangawhai Harbour</li> </ul>

**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

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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

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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

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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 m<sup>2</sup> 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 85<sup>th</sup> 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

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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

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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

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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

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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

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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

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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"> <li>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.</li> <li>Implementing non-statutory planning initiative – the DSP. The plan change is consistent with and will give effect to the DSP.</li> </ul>	3

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

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

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 is 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

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

#### AWAKINO ROAD, DARGAVILLE | PRECINCT PLAN

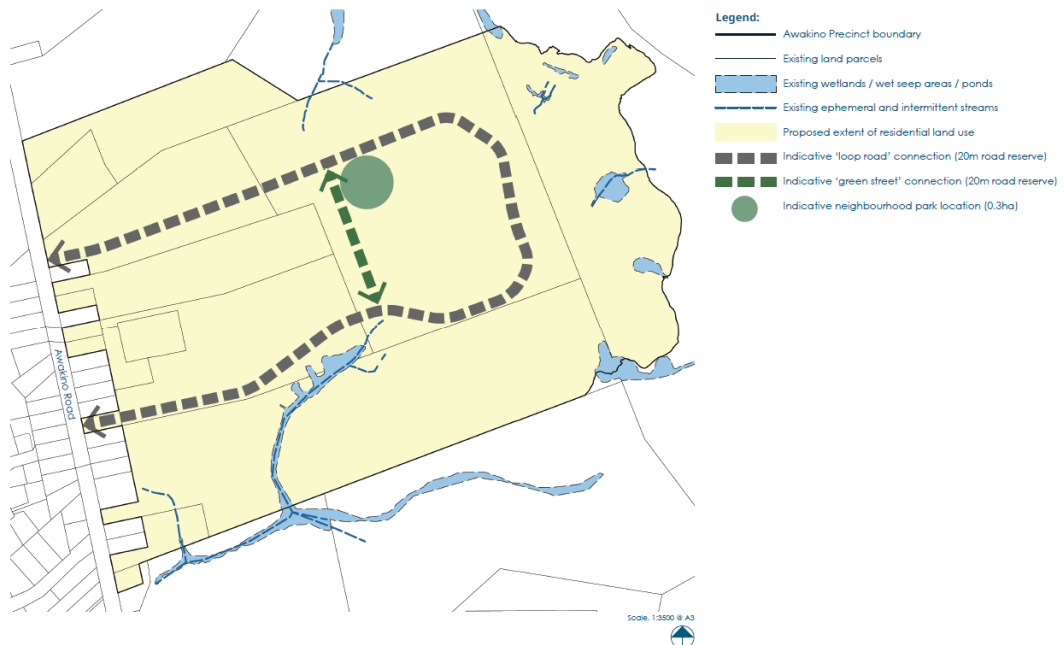


Figure 12 – Precinct Plan – Full Copy Appendix 2

**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

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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

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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 (<b>Appendix 3</b>) 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 (<b>Appendix 3</b>) 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 (<b>Appendix 3</b>) 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 (<b>Appendix 3</b>) 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 (<b>Appendix 7</b>) 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 (<b>Appendix 5</b>) 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"> <li>• A central ‘<b>neighbourhood park</b>’ which is sized and designed in response to both the existing and anticipated number of residents within the local area.</li> <li>• A north-south ‘<b>green street</b>’ which will help to create an ecological corridor between open space areas to the north and south.</li> <li>• Protection and enhancement of the network of ecological features.</li> </ul> <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 (<b>Appendix 6</b>) 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</i></p> <p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>· 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</i></li> <li><i>· 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></li> </ul>	<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><b>Benefits:</b></p> <ul style="list-style-type: none"><li>- No changes to the KDP necessary.</li><li>- Existing productive potential of the plan change area can continue to be realised.</li><li>- Removes the cost of initiating a plan change for the applicant.</li></ul> <p><b>Costs:</b></p> <ul style="list-style-type: none"><li>- Does not address NPS-FM and NES-FM.</li><li>- KDP format does not align or give effect to Planning Standards.</li><li>- Does not address the NPS-UD</li><li>- Residential living capacity and housing choice is not provided, cost of living and housing affordability increased within Dargaville.</li><li>- Ecological features will not benefit from enhancement and increased protection (afforded by the proposed precinct provisions).</li></ul>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"><li>- Only requires minor changes to KDP policies and rules.</li><li>- Plan-users are familiar with approach.</li><li>- Cost of implementation for Council will be similar to that of existing provisions.</li><li>- Development contributions for wastewater upgrades or on-site wastewater solution needed to support desired density.</li><li>- Includes policy framework that puts onus on developer to provide wastewater/infrastructure servicing solution.</li><li>- The density provisions provide for residential living and development via an integrated residential development.</li><li>- Ensures consistency of amenity and character of residential zone.</li></ul> <p><b>Costs:</b></p> <ul style="list-style-type: none"><li>- Lack of policy direction for a range of residential intensities and choices, urban design outcomes and RMU units.</li><li>- Activity status Discretionary and may trigger notification.</li><li>- Does not address NPS-FM and NES-FM.</li><li>- KDP format does not align or give effect to Planning Standards.</li><li>- Urban design outcomes are limited and does not address NPS-UD.</li><li>- Ecological features will not benefit from enhancement and increased protection (afforded by the proposed precinct provisions).</li></ul>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"><li>- Only requires minor changes to KDP policies and rules.</li><li>- Will provide greater certainty for future subdivision proposals when compared to option one.</li><li>- Cost of implementation for Council will be similar to that of existing provisions.</li><li>- Development contributions for wastewater upgrades or on-site wastewater solution needed to support desired density.</li><li>- Includes policy framework for that puts onus on developer to provide wastewater/infrastructure servicing solution.</li><li>- The density provisions provide for residential living and development via an integrated residential development.</li><li>- Ensures consistency of amenity and character of residential zone.</li><li>- Ecological features could benefit from enhancement and increased protection (afforded by nuanced subdivision provisions).</li></ul> <p><b>Costs:</b></p> <ul style="list-style-type: none"><li>- Activity status Discretionary and may trigger notification.</li><li>- KDP format does not align or give effect to Planning Standards.</li><li>- Plan-users are unfamiliar with approach.</li><li>- Not user-friendly for plan users to identify nuanced provisions throughout the Residential Zone.</li></ul>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"><li>- Certainty of outcomes for Council and applicant.</li><li>- Certainty of infrastructure provision.</li><li>- Consistent with Chapter 3 of the KDP.</li><li>- Positive environmental benefit, open space and public access connections are secured.</li><li>- This approach can be designed to address higher order policy direction.</li><li>- Can include provisions to provide for increased residential densities, high level of urban design and protection and enhancement of ecological features.</li></ul> <p><b>Costs:</b></p> <ul style="list-style-type: none"><li>- Costly for applicant and requires detailed investigations to support it.</li><li>- Can result in inflexible development provisions.</li><li>- Additional costs for Council to administer.</li><li>- Inefficient given the scale and scope of the plan change area.</li><li>- Duplication of the DSP.</li></ul>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"><li>- Align with higher order policy direction.</li><li>- Takes into account the KDP provisions, but introduces targeted provisions that will apply to this particular site to manage effects.</li><li>- Provides certainty of outcomes for the Council and future development.</li><li>- Will ensure character and amenity of the zone is maintained, whilst enabling a range of densities and living opportunities.</li><li>- Strong policy direction for a range of residential intensities and choices, urban design outcomes.</li><li>- Addresses NPS-FM and NES-FM.</li><li>- Strong urban design outcomes which address NPS-UD.</li><li>- Ecological features will benefit from enhancement and increased protection (afforded by the proposed precinct provisions).</li></ul> <p><b>Costs:</b></p> <ul style="list-style-type: none"><li>- KDP format does not align or give effect to Planning Standards.</li><li>- Existing productive potential of the plan change area will be lost.</li><li>- Cost of initiating a plan change for the applicant and cost to Council to process.</li></ul>
<b>Efficiency and Effectiveness</b>				
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.	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.	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	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.	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

This option is ineffective and inefficient and will not achieve PREC-O1 as it will not provide residential living opportunities.	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.	area, Option 3 will cumbersome and difficult to interpret. As such there is a risk that Option 3 will not effectively achieve PREC-O1.		directive outcomes which clearly link to the proposed methods.
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# Flood Protection Projects – Reallocation of External Funds

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Anin Nama, General Manager Infrastructure Services

## Purpose | Ngā whāinga

To seek approval to re-allocate budget from the Te Kopuru stopbank works to the Raupo floodgate projects, from the Ministry of Business, Innovation and Employment, Infrastructure Reference Group fund.

## Executive summary | Whakarāpopototanga

In 2020, the Ministry of Business, Innovation and Employment (MBIE) approached Kaipara District Council (Council) to access projects that meet their criteria for Infrastructure Reference Group (IRG) funding. Following discussions with MBIE, a list of projects totalling \$20m meeting the IRG criteria was applied for. However, despite the request, only \$6m was provided by MBIE.

Two tranches of funding were provided by MBIE. The first was \$2.5m for floodgates at two locations (canal K & G) in the Raupo Drainage District. The second was \$3.5m for enhancement of the existing flood defence stopbanks between Dargaville and Te Kopuru.

Preliminary design of the floodgates identified a shortfall of approx. \$8m for the construction of both floodgates. Given the shortfall in funding and with MBIE's approval, the canal K floodgate which protects less land area than the canal G floodgate was removed from the scope. The project now focuses on the canal G floodgate which protects a greater highly productive fertile land area. It also protects Councils water supply assets and the State Highway 12 from Ruawai through to Dargaville. Without this gate, approximately 30km of existing stopbanks at \$1m/Km would require upgrading to protect the land area.

The existing Dargaville and Te Kopuru stopbank totals approximately 13km. The funding by MBIE was seen as a start towards increasing the height of the existing stopbanks. The works will see approximately 2km of the existing banks increased which aims to protect the community from inundation from storm surges and future river level rise. While the MBIE funding was made available, further funding will be required for works on the remaining 11km of stopbank.

Council approached MBIE to seek additional funding to meet the shortfall for the floodgates, however, the request was declined. To ensure Council utilised the funds and to ensure greater benefit is achieved to protect the land and community, reallocating some funds from the Te Kopuru stopbank project to complete the canal G floodgate works is a pragmatic solution.

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Approves reallocating a sum of \$2.1m from the Te Kopuru Stopbank project to allow the completion of the canal G flood gate.
- b) Delegates to the Chief Executive authority to execute a contract variation with MBIE to reallocate budget from the Infrastructure Reference Group fund.

## Context | Horopaki

This report has been prepared to seek Councils approval to reallocate funds from the Te Kopuru stopbank project to allow the completion of the canal G floodgate.

Two tranches of funding were provided by MBIE. The first was \$2.5m for floodgates at canal K & G in the Raupo Drainage District. The second was \$3.5m for enhancement of the existing flood defence stopbanks between Dargaville and Te Kopuru. A total of \$6m was provided by MBIE, whereas Council originally sought \$20m for both projects.

To date approximately, \$700k has been spent on preliminary investigations, design, resource consents, feasibility studies, archaeological assessment, ecological assessment and liaison with local iwi and property owners. Further design works continue for both projects.

The Raupo Drainage District covers an area of approximately 8,700 hectares of highly productive fertile land surrounding the small settlements of Te Kowhai, Nau Mai, Raupo and Ruawai. It is protected by a network of 70kms of stopbank, 140kms of canals and drains, 52 floodgates and one flood pump. To minimise the need for extensive stopbank upgrades from increasing tidal impacts and to prevent saltwater intrusion into these canals, the proposal is to install floodgate (refer figure 1).

The floodgate structures will protect Councils assets and the strategic State Highway 12 from rising river levels. The exclusion of salt water from these canals also allows for strategic freshwater storage within the catchment area.

Following preliminary design of the floodgates including a value engineering workshop held with interested parties at Ruawai, identified a shortfall of approx. \$8m for the construction of both floodgates. Council approached MBIE to seek additional funding to meet the shortfall for the floodgate, however, the request was declined. MBIE then requested Council provide additional funding to meet the shortfall for the floodgate structure. Council discounted this, as this would increase the rates that are received from the small rate payer base. Therefore, given the shortfall in funding, the canal K gate which protects less land area than canal G gate has been removed from scope. The project now focuses on the canal G gate which protects greater highly productive fertile land area and will also protect Councils water supply assets and the State Highway 12 from Ruawai through to Dargaville.



**Figure 1 – Canal K & G**

The existing stopbank between Dargaville and Te Kopuru protects an area of 5,460 hectares of productive fertile land surrounding the small settlements of Te Kopuru and Aratapu protected by a network of 12.7kms of stopbank, 154kms of canals and drains, 22 private and 9 district floodgates.

Around 27% of the stopbank length is 3m in height or above. The remainder varies between 2.5m and 2.75m in height. The upgrade of the existing stopbank requires compacted soil placed on the

banks to increase the high to 3.5m, the minimum height now required by Council to provide flood protection for the next 100 years.

The local communities and Iwi from the three local Marae have been involved and consulted since the inception of the project.

## Discussion | Ngā kōrerorero

The Raupo drainage area represents the largest quantity of fertile land requiring protection from tidal and flood events, including a number of Councils water assets and the State Highway 12.

The land area between Dargaville and Te Kopuru is around 62% of the Raupo area being protected and is the primary transport link in this area is Pouto Road.

### Options

The table below outlines two options and discusses the advantage and disadvantages for each option.

Option	Advantages	Disadvantages
<p>Option 1:</p> <p>Transfer funds from the Te Kopuru project to meet the shortfall on the Raupo project (Canal G).</p>	<ul style="list-style-type: none"> <li>Allows Canal G floodgate structure to be completed.</li> <li>Minimises the need for extensive stopbank upgrades downstream of the floodgate structure.</li> <li>Significantly reduces the amount of infrastructure at risk from rising sea levels.</li> <li>Exclusion of salt water from Canal G has the potential to allow for strategic freshwater storage within the existing infrastructure.</li> <li>Still allows for the upgrade of some sections of the Te Kopuru stopbank.</li> </ul>	<ul style="list-style-type: none"> <li>The planned Raupo Development is only partially completed (Canal G).</li> <li>Canal K floodgate structure unfunded at this stage.</li> <li>Limited length of stopbank between Te Kopuru and Dargaville will be upgraded.</li> </ul>
<p>Option 2:</p> <p>Cancel the Raupo project and return the unspent funds to MBIE.</p>	<ul style="list-style-type: none"> <li>No benefit</li> </ul>	<ul style="list-style-type: none"> <li>Approximately 30km of existing stopbanks at \$1m/Km would require upgrading to protect the land area.</li> <li>The Council will need to return approximately \$700k to MBIE for the cost spent to date.</li> </ul>

### Policy and planning implications

It is unlikely that the impact of a reduced level of funding for the Te Kopuru stopbank project will materially affect the landowners and the small settlements area. It is likely in the future, that the Government may provide further funding towards climate risk mitigation works, if so, Council will continue to seek funding for the continuation of stopbank remediation.

### Financial implications

There are no short-term financial implications for Council in relation to these specific projects as they are being funded by the MBIE Infrastructure Reference Group fund.

The reallocation of the budget is summarised in the table below:

Project	Current MBIE budget	Fund to be transferred	Revised MBIE budget
Raupo Floodgate Canal G	\$2.5m	+ \$2.1m	\$4.6m

Te Kopuru Stopbank	\$3.5m	- \$2.1m	\$1.4m
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The revised budget for Raupo will enable the Canal G floodgate structure to be completed for \$4.6m. The majority of the budget will be spent in FY23/24. There is a 4–5-month lead time to obtain Resource Consents from Council, the Northland Regional Council and Waikato Regional Council. The latter is the primary consent agency for dam structures in New Zealand.

The revised budget for the Te Kopuru stopbank upgrade works will enable up to 2km of stopbanks to be upgraded.

### Risks and mitigations

The primary risks in respect of both flood protection projects are outlined in the following table.

Risk Item	Mitigation
Some landowners/residents may object to the disruption to their farming operations in the summer months during construction period	Discussions have commenced with the immediate landowners/residents, and they have no objections to the reduced scope of the Te Kopuru stopbank, noting that the works are part of a longer term stopbank remediation. We will continue to maintain regular communications with landowners/residents affected by the works
Council rejects transfer of funding from Te Kopuru Stopbanks project to Raupo project	Te Kopuru project can proceed as per original scope and the floodgates project would be cancelled. In this case, Council would be required to refund MBIE approx. \$700K spent on the project to date.

### Impacts on Māori

At the present time, Iwi have been openly and regularly consulted during all phases of the flood protection projects. Te Uri O Hau provided formal written support for the Te Kopuru stopbank upgrade project. Similarly, a hui with marae representatives from various settlements and the Raupo Drainage Committee was held in February 2022 as part of the introductory phase of the project. This was followed by site visits and a blessing at both canal sites prior to the onsite geotechnical investigations by the consultant.

### Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy as the funds are not rate funded. Further, discussions have taken place with immediate landowners/residents on the reduced scope with no objection. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

### Next steps | E whaiake nei

If approved, staff will execute a variation with MBIE to reallocate the budget from their Infrastructure Reference Group fund.

# 2023-2024 Capital Expenditure Forecast

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Anin Nama, General Manager Infrastructure Services

## Purpose | Ngā whāinga

To seek approval of the changes to the 2022/2023 capital delivery programme as outlined in Attachments 1 & 2.

## Executive Summary | Whakarāpopototanga

The Long-Term Plan (LTP) identifies and sets out the Council 10-year capital delivery programme. The programme for the 2022/2023 year (excluding transportation) is \$31.7m (Attachment 1).

In the 2021/2022 financial year, the Council received Government funding for infrastructure related projects in addition to the LTP programme. These projects took priority in delivery as the funding was available for a 12–24-month period. The majority of the projects are completed, however, a number continue and planned for completion during the summer period of 2023 and 2024.

A review of the 2022/2023 capital programme has identified that changes are required, due to the limited asset management planning in the past, along with minimal scope definition and incorrect estimates, resulting in the re-baselining the programme to ensure delivery. Now with better asset management planning in place, staff propose changes to the 2022/2023 programme.

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Approves the funding in the 2022/2023 financial year of \$1.672m, as set out in Table 1.
- b) Approves the changes of funding between projects in the 2022/2023 year, as set out in Attachment 2.

## Context | Horopaki

The Council's 30-year Infrastructure Strategy sets out the Council's long term vision and outcomes. The programme of work is broad and follows the direction of the Council vision. Whereas the Council's LTP sets out a more defined programme over the next 10-years and is consulted on with the Kaipara Community every 3 years. We are currently in the second year of the 2021-2031 LTP.

Since 2020, Council has received various Government funding for various infrastructure related projects, such as shovel ready funding. While this has been welcomed and needed, it has resulted in these projects taking priority over the LTP programme and the carryover of projects.

In addition, while a programme of works has been identified within the LTP, unfortunately, the lack of planning and resources in previous years meant that most projects have minimal scope definition, the timing of the works being incorrect and the cost estimates to complete the projects having low confidence has required in re-baselining of the 2022/2023 programme.

The overall changes to the programme are:

- Additional budget as set out in Table 1.
- changes in funding within the 2022/2023 programme, as set out in Attachment 2.

The Infrastructure Services team have commenced planning work with an initial focus on the three

waters assets within the 30-year Infrastructure Strategy and LTP. The outcome of this work will be shared with the Council at a briefing in the first quarter of 2024. Work also continues for other infrastructure assets, including developing a long-term investment programme for our land drainage districts.

## Discussion | Ngā kōrerorero

### 2022/2023 financial year budget carry overs

A review of the 2022/2023 capital programme (excluding Transportation) has identified a number of projects will not be completed this year and a carryover to the 2023/2024 year required. The carryovers are due to projects requiring additional budget, poor scope definition of projects and timing of the works, these have now been corrected as part of this approval.

A more accurate list of projects will be brought to Council nearer to the end of the financial year when notification is provided to Council on the projects requiring carried over.

### 2022/2023 Revised amounts for Projects and Funding

The two tables below show projects where changes, additional funding and savings are proposed.

Table 1

Project	Additional funds (\$000')	Reason	Source of funding (\$000')
Pahi toilet	\$497	The existing toilet block is old and at times floods during high tidal events. A new toilet block and disposal system is required and protection from tidal influence. Council also obtained Tourism Infrastructure Fund (TIF) funding.	Revised project estimate is: \$850 Budget available is \$353 made up of: <ul style="list-style-type: none"> <li>\$240 from LTP</li> <li>\$113 from TIF</li> </ul> The shortfall of \$497, will be funded from debt funded loan.
Baylys Beach refurbishment	\$350	The existing toilet block is old and in a poor state. Recent spalling of concrete beams has caused the closure of parts of the facility. A refurbishment is required. However, no funding is currently available for this project.	No Funding is available for this project.  The shortfall of \$350, will be funded from the District Financial Reserves.
Kaiwaka Rangiora Road Park Development	\$212	This project aims to improve the boat ramp facility, car parking and amenities (additional toilet) at the Rangiora Reserve. Council has obtained TIF funding for this project. The shortfall is due to inflation and poor budgeting in previous years.	Revised project estimate is: \$1,034 Budget available is \$822 made up of: <ul style="list-style-type: none"> <li>\$244 from the Kaiwaka Reserve Fund</li> <li>\$277 from the Car Park Sealing fund</li> <li>\$301 from TIF</li> </ul> The shortfall of \$212, will be funded from the 2023/2024 car park sealing fund.
Jack Boyd Drive wastewater extension	\$118	In December 2021, the Council agreed to install at its own cost approx. 200m new sewer line	Revised project estimate is: \$200 Budget available is \$82 made up of: <ul style="list-style-type: none"> <li>\$50 Development Contribution</li> </ul>

		along a private driveway to connect up to 7 properties into public wastewater network.	<ul style="list-style-type: none"> <li>\$32 Loan</li> </ul> <p>The shortfall of \$118 will be funded from debt funded loan.</p>
Dargaville pump station investigation	\$80	This pump station is old and is one of the critical stations in Dargaville. Wastewater overflow regularly occur. It is the improvements and additional pumps are installed to minimise the wastewater overflows.	<p>There is no budget available.</p> <p>The shortfall of \$80 will be funded from Depreciation Reserves.</p>
Murphy Bower gate stop bank improvement	\$215	<p>An upgrade the existing stop banks (approx.) 900m is urgently required to provide flood protection to the Ruawai Community. In 2018, Council approved a sum of \$375K for the project. The revised estimate to complete this work is now estimated at \$590k. The cost increase is due to escalation in material cost.</p> <p>To ensure the works are completed during the summer of 2023, the works will be carried out by local contractors that work with the Raupo Drainage Board.</p>	<p>Revised project estimate is: \$590</p> <p>Budget available is \$375 made up of:</p> <ul style="list-style-type: none"> <li>\$375 Raupo Reserve</li> </ul> <p>The shortfall of \$215 will be funded from the Raupo Land Drainage Fund.</p>
Pouto Wharf	\$200	Recent unforeseen rubbish (vehicle) and geotechnical condition may result in additional work.	The shortfall of \$200 will be funded from debt funded loan.
<b>Total</b>	<b>\$1,672</b>		

The review has also identified a number of projects not required. These are outlined in table 2.

Table 2

Project	Surplus funds (\$000')	Reason
Kaiwaka Bush park	\$550	This is Northland Regional Council project and should not have been included with Kaipara District Council LTP.
Chases Gorge	\$219	Emergency rock armouring work are taking place along the stream; therefore, this project is no longer required.
Kaiwaka wastewater renewals	\$116	The project is completed and savings of \$116k identified.
Dargaville wastewater renewals	\$372	A review of the second stage of the project, identified that the works are not required.
<b>Total</b>	<b>\$1,257</b>	

## Summary

The lack of Infrastructure Planning in previous years has led to inadequate budgeting in the LTP, where projects have insufficient budget, are poorly scoped and budget being allocated in a wrong year, either early or late, therefore, this report recommends re-allocating funds within the programme and projects requiring additional funds in the 2022/2023 financial year.

## Policy and planning implications

There are no known Policy implications

## Financial implications

There is no additional financial impact to Council as the funds are within the approved programme. These projects are being discussed as part of the 2023/2024 Annual Plan.

- The overall financial costs have been detailed in the tables 1 and 2 above and Attachments 1 & 2.
- There is additional debt funded loans of \$815k for the Pahi toilet block (\$497k), Jack Boyd Drive reticulation extension (\$118k) and Pouto Wharf (\$200k). The debt funding of these projects is not significant for Council.
- The additional sum of \$350k for the Baylys Beach toilets can be funded from the district financial reserves. There is approximately \$1.6m available.
- The additional sum of \$212k for the Kaiwaka Rangiora Road Park Development will be funded from district financial reserves.
- The additional sum of \$80k for the Dargaville pump station can be funded from the wastewater depreciation reserves fund.
- The additional sum of \$215k for the Murphy Bower gate stop bank improvement will come from Raupo land drainage fund and reserves. The Raupo Land Drainage account has \$590k balance available.

## Risks and mitigations

- Should the Council not fund the Rangiora Car Park and the Pahi Toilet block projects, Council will lose the TIF funding associated with these projects.
- Any further delays to the Murphy Bower gate stop bank improvement work poses significant risk to Council and the Ruawai district community.

## Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report are considered to have a low degree of significance in accordance with Councils Significance and Engagement Policy. No feedback is required, and the public will be informed of Councils decision via the agenda and minutes publication of this meeting, on the website and through other media channels.

## Next steps | E whaiake nei

The 2022/2023 budget will be updated, and construction work will continue to progress

## Attachments | Ngā tapiritanga

	Title
1	The programme for the 2022/2023 financial year (excluding transportation).
2	Summary of programme changes for the 2022/2023 financial year.

## Attachment 1

### Revised outcome for the 2022/2023 financial year capital programme (excl. Transportation)

Amount in \$1,000'

Summary (exc. Transportation)	Total Budget FY23 (AP + Carryovers)	Approved Variations 22/23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23/24	Total 22/23
District Leadership, Finance and Internal Services	\$ 4,067	\$ 265	\$ 4,332	\$ 4,532	\$ -	\$ 193	\$ 4,339
Flood Protection and Land Drainage	\$ 5,838	\$ -	\$ 5,838	\$ 6,388	\$ -	\$ 4,095	\$ 2,293
Open Spaces & Facilities	\$ 5,565	\$ 1,434	\$ 6,999	\$ 7,507	\$ 509	\$ 2,188	\$ 5,320
Regulatory	\$ 10	\$ -	\$ 10	\$ 10	\$ -	\$ -	\$ 10
Stormwater	\$ 985	\$ -	\$ 985	\$ 766	-\$ 219	\$ 167	\$ 599
Waste Minimisation	\$ 465	\$ -	\$ 465	\$ 465	\$ -	\$ 275	\$ 190
Wastewater	\$ 10,406	\$ -	\$ 10,406	\$ 10,117	-\$ 289	\$ 2,275	\$ 7,842
Water supply	\$ 2,475	\$ 187	\$ 2,662	\$ 2,662	\$ -	\$ 705	\$ 1,957
<b>Total</b>	<b>\$ 29,810</b>	<b>\$ 1,886</b>	<b>\$ 31,696</b>	<b>\$ 32,446</b>	<b>\$ -</b>	<b>\$ 9,897</b>	<b>\$ 22,549</b>

## District Leadership, Finance and Internal Services

\$4,066,501      \$ 265,000      \$ 4,331,501      \$ 4,531,501      \$ 200,000      \$ 192,906      \$ 4,338,595

Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
District Leadership, Finance and Internal	PGF112 Pouto Wharf	\$2,339,531	\$ 265,000	\$2,604,531	2,804,531	200,000	\$ -	\$ 2,804,531
District Leadership, Finance and Internal	14019 Upgrade and renew SCADA	\$162,826		\$162,826	162,826	0	\$ 162,826	\$ -
District Leadership, Finance and Internal	PGF111 Kai Water (Opex and Capex)	\$130,080		\$130,080	130,080	0	\$ 30,080	\$ 100,000
District Leadership, Finance and Internal	PGF113 Pahi Wharf upgrade	\$5,425		\$5,425	5,425	0	\$ -	\$ 5,425
District Leadership, Finance and Internal	14021 Replacement vehicles (7 p.a.)	\$214,620		\$214,620	214,620	0	\$0	\$ 214,620
District Leadership, Finance and Internal	14015 Replace Magiq Performance	\$187,874		\$187,874	187,874	0	\$0	\$ 187,874
District Leadership, Finance and Internal	13021 Leasehold improvements - Townhall	\$150,000		\$150,000	150,000	0	\$0	\$ 150,000
District Leadership, Finance and Internal	14014 HRIS	\$140,000		\$140,000	140,000	0	\$0	\$ 140,000
District Leadership, Finance and Internal	14017 Smart Forms, Customer Exp and Workplace Transformation	\$120,000		\$120,000	120,000	0	\$0	\$ 120,000
District Leadership, Finance and Internal	1402314022, NRC Dargaville offices fitout	\$116,922		\$116,922	116,922	0	\$0	\$ 116,922
District Leadership, Finance and Internal	11031 Digital transformation	\$110,407		\$110,407	110,407	0	\$0	\$ 110,407
District Leadership, Finance and Internal	15004 Tsunami Sirens	\$102,200		\$102,200	102,200	0	\$0	\$ 102,200
District Leadership, Finance and Internal	14012 CAPEX increase for replacement IT equipment	\$81,760		\$81,760	81,760	0	\$0	\$ 81,760
District Leadership, Finance and Internal	14020 WiFi refresh and rebuild	\$67,585		\$67,585	67,585	0	\$0	\$ 67,585
District Leadership, Finance and Internal	14013 Cybersecurity CIS control implementation	\$55,905		\$55,905	55,905	0	\$0	\$ 55,905
District Leadership, Finance and Internal	14011 CAPEX increase for new IT equipment	\$40,880		\$40,880	40,880	0	\$0	\$ 40,880
District Leadership, Finance and Internal	14024 Dargaville offices refurbishment - allowance for design	\$20,000		\$20,000	20,000	0	\$0	\$ 20,000
District Leadership, Finance and Internal	14018 Te Aka	\$10,266		\$10,266	10,266	0	\$0	\$ 10,266
District Leadership, Finance and Internal	15005 Website analytics	\$10,220		\$10,220	10,220	0	\$0	\$ 10,220
District Leadership, Finance and Internal	14022 Dargaville offices - Hard fitout	\$0		\$0	0	0	\$0	\$ -
District Leadership, Finance and Internal	1122 New vehicles			\$0		0	\$0	\$ -

## Flood Protection and Land Drainage

\$5,837,654    \$    -    \$    5,837,654    \$    6,387,654    \$    550,000    \$    4,095,000    \$    2,292,654

Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Flood Protection and Land Drainage	14027 Raupo LD Internal Stopbanks	\$2,410,182		\$2,410,182	4,600,000	2,189,818	\$    4,075,000	\$    525,000
Flood Protection and Land Drainage	14025 District Wide LD - LD Improvements District Wide	\$47,725		\$47,725	47,725	0	\$    20,000	\$    27,725
Flood Protection and Land Drainage	14116 Raupo Stopbank Urgent Works	\$100,000		\$100,000	100,000	0	\$    -	\$    100,000
Flood Protection and Land Drainage	13017 Bellamy F/G 48	\$90,000		\$90,000	90,000	0	\$    -	\$    90,000
Flood Protection and Land Drainage	13018 Double Gate FG 50 (previously FG40 no longer req)	\$35,980		\$35,980	35,980	0	\$    -	\$    35,980
Flood Protection and Land Drainage	Bower Gate Farm (Stopbank construction)	\$0		\$0	550,000	550,000	\$    -	\$    550,000
Flood Protection and Land Drainage	14026 Te Kopuru Dargaville Stopbank	\$3,153,767		\$3,153,767	963,949	-2,189,818	\$    -	\$    963,949

## Open Spaces & Facilities

\$5,564,523    \$ 1,434,109    \$ 6,998,632    \$ 7,507,297    \$ 508,665    \$ 2,187,528    \$ 5,319,769

Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Open Spaces & Facilities	14007 Pahi toilet replacements	\$240,473	\$ 112,860	\$353,333	850,000	496,667	\$ 250,000	\$ 600,000
Open Spaces & Facilities	Baylys Beach Refurbishment	\$0		\$0	350,000	350,000	\$ -	\$ 350,000
Open Spaces & Facilities	15000 Mangawhai upgrade units	\$650,000		\$650,000	650,000	0	\$ -	\$ 650,000
Open Spaces & Facilities	15002 Kaiwaka Rangiora Rd park development	\$206,200	\$ 615,583	\$821,783	1,033,781	211,998	\$ 433,781	\$ 600,000
Open Spaces & Facilities	15003 Lincoln Downs Mountain Bike Park	\$773,250		\$773,250	773,250	0	\$ 723,250	\$ 50,000
Open Spaces & Facilities	13049 Alamar Carpark	\$882,070		\$882,070	882,070	0	\$ 582,070	\$ 300,000
Open Spaces & Facilities	15017 Mangawhai Coastal Walkway (Breve St track)	\$291,427		\$291,427	291,427	0	\$ 111,427	\$ 180,000
Open Spaces & Facilities	11019 Implement Reserve Management Plan	\$87,000		\$87,000	87,000	0	\$ 87,000	\$ -
Open Spaces & Facilities	12002 Public Toilets - Lincoln Street	\$34,685	\$ 249,891	\$284,576	284,576	0	\$ -	\$ 284,576
Open Spaces & Facilities	11153 Maungaturoto Toilet	\$58,269	\$ 355,758	\$414,027	414,027	0	\$ -	\$ 414,027
Open Spaces & Facilities	14001 Carpark Sealing	\$276,875	-\$ 276,875	\$0	0	0	\$ -	\$ -
Open Spaces & Facilities	14004 Parks hard surface renewals	\$77,126	-\$ 56,488	\$20,638	20,638	0	\$ -	\$ 20,638
Open Spaces & Facilities	12113 Rangiora Rd Reserve development	\$37,708	-\$ 37,708	\$0	0	0	\$ -	\$ -
Open Spaces & Facilities	11055 Kai Iwi Camp Ground Facilities	\$198,434	\$ 141,145	\$339,579	339,579	0	\$ -	\$ 339,579
Open Spaces & Facilities	11024 Public Toilets - Mangawhai Heads Road Alamar	\$0	\$ 273,455	\$273,455	273,455	0	\$ -	\$ 273,455
Open Spaces & Facilities	14121 Kai Iwi Lakes Security Improvement	\$0		\$0		0	\$ -	\$ -
Open Spaces & Facilities	14003 McClean Park upgrade Northern side	\$100,000		\$100,000	100,000	0	\$ -	\$ 100,000
Open Spaces & Facilities	15001 Mangawhai Library	\$154,650		\$154,650	154,650	0	\$ -	\$ 154,650
Open Spaces & Facilities	14000 Pensioner Housing General	\$101,550		\$101,550	101,550	0	\$ -	\$ 101,550
Open Spaces & Facilities	14010 Town hall remediation - allowance for	\$2,837		\$2,837	2,837	0	\$ -	\$ 2,837
Open Spaces & Facilities	14002 Environmental protection and enhancement	\$101,550		\$101,550	101,550	0	\$ -	\$ 101,550

Open Spaces & Facilities	14006 Playground renewals	\$67,577		\$67,577	67,577	0	\$	-	\$	67,577
Open Spaces & Facilities	11053 Park Improvements (furniture/bollards/lighting/paths)	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11065 Mangawhai Community Park - implement Master Plan	\$29,572		\$29,572	29,572	0	\$	-	\$	29,572
Open Spaces & Facilities	15019 Library replacements (Books and equip	\$59,798		\$59,798	59,798	0	\$	-	\$	59,798
Open Spaces & Facilities	14008 Library replacements (Books and equip	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	14009 MAZ Skate Bowl (should be a Grant)	\$400,000		\$400,000	400,000	0	\$	-	\$	400,000
Open Spaces & Facilities	12116 Mangawhai Reserve Toilet	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11153 Maungaturoto Toilet	\$0		\$0		0	\$	-	\$	-
Open Spaces & Facilities	a14008 Library replacements (Books and equi	\$0		\$0		0	\$	-	\$	-
Open Spaces & Facilities	11006 Stage 1 Walkway Sellars reserve to Wintle Street ( Pearl St)	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11085 Mangawhai Coastal Tracks - links to existing network (move bal to 15017)	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11095 Community Infrastructure - Mangawhai - esplanade development	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11004 & 14004 Parks and Reserves - hard surface renewal programme	\$20,655	\$ 56,488	\$77,143	77,143	0	\$	-	\$	77,143
Open Spaces & Facilities	XXXXX McClean Park upgrade - Skate Park	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	14005 Parks infrastructure renewals	\$162,817		\$162,817	162,817	0	-\$	0	\$	162,817
Open Spaces & Facilities	13050 Kaiwaka bush kauri park	\$550,000		\$550,000	0	-550,000	\$	-	\$	-

Open Spaces & Facilities	11065 Mangawhai Community Park - implement Master Plan	\$29,572		\$29,572	29,572	0	\$	-	\$	29,572
Open Spaces & Facilities	15019 Library replacements (Books and equip	\$59,798		\$59,798	59,798	0	\$	-	\$	59,798
Open Spaces & Facilities	14008 Library replacements (Books and equip	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	14009 MAZ Skate Bowl (should be a Grant)	\$400,000		\$400,000	400,000	0	\$	-	\$	400,000
Open Spaces & Facilities	12116 Mangawhai Reserve Toilet	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11153 Maungaturoto Toilet	\$0		\$0		0	\$	-	\$	-
Open Spaces & Facilities	a14008 Library replacements (Books and equi	\$0		\$0		0	\$	-	\$	-
Open Spaces & Facilities	11006 Stage 1 Walkway Sellars reserve to Wintle Street ( Pearl St)	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11085 Mangawhai Coastal Tracks - links to existing network (move bal to 15017)	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11095 Community Infrastructure - Mangawhai - esplanade development	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	11004 & 14004 Parks and Reserves - hard surface renewal programme	\$20,655	\$ 56,488	\$77,143	77,143	0	\$	-	\$	77,143
Open Spaces & Facilities	XXXXX McClean Park upgrade - Skate Park	\$0		\$0	0	0	\$	-	\$	-
Open Spaces & Facilities	14005 Parks infrastructure renewals	\$162,817		\$162,817	162,817	0	\$	0	\$	162,817
Open Spaces & Facilities	13050 Kaiwaka bush kauri park	\$550,000		\$550,000	0	-550,000	\$	-	\$	-

## Stormwater

		\$985,162	\$ -	\$ 985,162	\$ 765,920	-\$ 219,242	\$ 167,318	\$ 598,602
Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Stormwater	14045 Mangawhai SW - 130-138 Mwhai Heads - flow & culvert upgrade	\$221,373	\$ 65,945	\$287,318	287,318	0 \$	167,318	\$ 120,000
Stormwater	14046 Mangawhai SW Taranui culvert capacity upgrade	\$39,920	-\$ 39,920	\$0	0	0 \$	-	\$ -
Stormwater	15010 Mangawhai SW Secondary Flow path to outlet 38 North Ave	\$26,025	-\$ 26,025	\$0	0	0 \$	-	\$ -
Stormwater	14044 Maungaturoto Paparoa SW renewals and LoS	\$42,640		\$42,640	42,640	0 \$	-	\$ 42,640
Stormwater	14048 Te Kopuru SW - Open drain upgrades - fix Walker St system	\$0		\$0	0	0 \$	-	\$ -
Stormwater	Breve Street Geotech improvement			\$0		0 \$	-	\$ -
Stormwater	14043 Dargaville SW Renewals	\$97,940		\$97,940	97,940	0 \$	-	\$ 97,940
Stormwater	11093 Mangawhai SW (Eveline street)	\$85,737		\$85,737	85,737	0 \$	-	\$ 85,737
Stormwater	13022 Mangawhai SW	\$252,285		\$252,285	252,285	0 \$	-	\$ 252,285
Stormwater	12037 Chases Gorge	\$219,242		\$219,242	0	-219,242 \$	-	\$ -

## Waste Minimisation

		\$465,048	\$ -	\$ 465,048	\$ 465,048	\$ -	\$ 275,000	\$ 190,048
Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Waste Minimisation	14042 Recycling Bins	\$275,000		\$275,000	275,000	0 \$	275,000 \$	-
Waste Minimisation	14041 Weighbridge	\$165,000		\$165,000	165,000	0 \$	- \$	165,000
Waste Minimisation	10722 Hakaru Leachate Improvements	\$25,048		\$25,048	25,048	0 \$	- \$	25,048

## Wastewater

\$10,406,088    \$ -    \$ 10,406,088    \$ 10,116,665    -\$ 289,423    \$ 2,274,653    \$ 7,842,012

Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Wastewater	14040 Mangawhai Wastewater small extensions right of ways (Jack Boyd Drive)	\$81,640		\$81,640	200,000	118,360	\$ -	\$ 200,000
Wastewater	Dargaville PS1 Investigation			\$0	80,000	80,000	\$ -	80000
Wastewater	14039 Extensions to reticulation including new disposal system	\$2,000,000		\$2,000,000	2,000,000	0	\$ 1,690,000	\$ 310,000
Wastewater	14038 Capacity upgrades to 5000 connections	\$254,334	\$ 300,000	\$554,334	554,334	0	\$ 334,334	\$ 220,000
Wastewater	14032 Station Rd reticulation	\$183,053		\$183,053	183,053	0	\$ 143,053	\$ 40,000
Wastewater	15007 Kaiwaka wastewater growth	\$104,100		\$104,100	104,100	0	\$ 34,100	\$ 70,000
Wastewater	13028 Extend Reticulation (8years)	\$227,385	-\$ 140,095	\$87,290	87,290	0	\$ 27,290	\$ 60,000
Wastewater	14029 Dargaville growth design	\$55,055	\$ 50,000	\$ 105,055	105,055	0	\$ 25,055	\$ 80,000
Wastewater	14035 Maungi WW Growth - Bickerstaff Rd 670m growth and renewal	\$50,821		\$50,821	50,821	0	\$ 20,821	\$ 30,000
Wastewater	15006 Additional pumpstation (growth)	\$300,000	-\$ 300,000	\$0	0	0	\$ -	\$ -
Wastewater	15009 Additional Pump station - Mangawhai	\$300,000	-\$ 300,000	\$0	0	0	\$ -	\$ -
Wastewater	14030 Darg WW Gwth - 1800m WW line Bower St to Awakino area to PS1	\$50,000	-\$ 50,000	\$0	0	0	\$ -	\$ -
Wastewater	15032 - PS-K Pipeline Diversion	\$0	\$ 873,250	\$873,250	873,250	0	\$ -	\$ 873,250
Wastewater	14031 Spring St reticulation	\$778,884		\$778,884	778,884	0	\$ -	\$ 778,884
Wastewater	14036 Maungaturoto Wastewater Renewals	\$156,150		\$156,150	156,150	0	\$ -	\$ 156,150
Wastewater	15008 Glinks Gully Wastewater Renewals	\$10,410		\$10,410	10,410	0	\$ -	\$ 10,410
Wastewater	14117 Mangawhai WW Browns Rd Irrigation Farm Aerator	\$250,000		\$250,000	250,000	0	\$ -	\$ 250,000
Wastewater	14033 Mangawhai wastewater minor pump replacements	\$46,845		\$46,845	46,845	0	\$ -	\$ 46,845
Wastewater	14099 Kaiwaka Membrane Filtration Optimisation	\$6,496		\$6,496	6,496	0	\$ -	\$ 6,496
Wastewater	13038 Te Kopuru WWTP Aerator Upgrade	\$0		\$0	0	0	\$ -	\$ -
Wastewater	13004 New Footpath 20/21	\$0		\$0	0	0	\$ -	\$ -
Wastewater	13045 Kaiwaka Wastewater Renewals	\$0		\$0		0	\$ -	\$ -
Wastewater	14101 Aerator for Dargaville WWTP	\$0		\$0	0	0	\$ -	\$ -

Wastewater	11041 Upgrade Existing Reticulation	\$433,155	-\$ 433,155	\$0	0	0	\$	-	\$	-
Wastewater	Glinks Gully Wastewater discharge consent	\$5,205		\$5,205	5,205	0	\$	-		5,205
Wastewater	13047 MCWWS Balance Tank Stage 1 2020-2021	\$4,042,167		\$4,042,167	4,042,167	0	-\$	0	\$	4,042,167
Wastewater	13045 Kaiwaka Wastewater Renewals	\$437,580		\$437,580	321,580	-116,000	\$	-	\$	321,580
Wastewater	13044 Dargaville Wastewater Renewals	\$632,808		\$632,808	261,025	-371,783	\$	-	\$	261,025

## Water Supply

\$2,475,120    \$ 187,149    \$ 2,662,269    \$ 2,662,269    \$ -    \$ 704,860    \$ 1,957,409

Activity Group	Project	Total Budget FY23 (AP + Carryovers)	Approved Variations 22.23	Total Budget incl variations	Forecast at completion	Budget Variance	Carryover 23.24 yr	Total 22/23
Water Supply	13042 Maungaturoto Water Truck Filler & Main Upgrade	\$550,000		\$550,000	550,000	0 \$	550,000 \$	-
Water Supply	13003 /12011 Dargaville raw watermain river crossings Stage 2 & Stage 1	\$194,860		\$194,860	194,860	0 \$	154,860 \$	40,000
Water Supply	15014 Dargaville watermain renewals	\$520,500	-\$ 520,500	\$0	0	0 \$	- \$	-
Water Supply	13037 Ruawai Watermain Renewals	\$364,350	-\$ 364,350	\$0	0	0 \$	- \$	-
Water Supply	12001 WTP and reservoir	\$226,640	\$ 187,149	\$413,789	413,789	0 \$	- \$	413,789
Water Supply	15015 Maungaturoto water renewals	\$156,150	\$ 884,850	\$1,041,000	1,041,000	0 \$	- \$	1,041,000
Water Supply	14070 Dargaville Watermain Upgrade to Awakino Plant 2km	\$30,466		\$30,466	30,466	0 \$	- \$	30,466
Water Supply	14072 Mungi South, South Valley, Bickerstaff Rd 670m Watermain	\$21,760		\$21,760	21,760	0 \$	- \$	21,760
Water Supply	12003 WTP	\$85,356		\$85,356	85,356	0 \$	- \$	85,356
Water Supply	15016 Glinks Gully water renewals	\$52,050		\$52,050	52,050	0 \$	- \$	52,050
Water Supply	14073 Mangawhai water renewals	\$6,786		\$6,786	6,786	0 \$	- \$	6,786
Water Supply	15017 Maungaturoto Water Reservoirs on Griffin Rd specifically to be renewed	\$260,250		\$260,250	260,250	0 \$	- \$	260,250
Water Supply	13040 Maungaturoto Raw Watermain Renewal	\$5,952		\$5,952	5,952	0 \$	- \$	5,952
Water Supply	13041 Maungaturoto Water Reservoir Replacement	\$0		\$0	0	0 \$	- \$	-
Water Supply	14100 Install Deplox	\$0		\$0	0	0 \$	- \$	-
Water Supply	13043 Maungaturoto Hurndall Street Watermain Renewal	\$0		\$0	0	0 \$	- \$	-



Attachment 2

Summary of programme changes for the 2022/2023 financial year

Amount in \$1,000'

Activity Group	Cost Centre	Project	Total Budget FY23 (AP + Carryovers)	Overall Movements	Notes	New Budget 22-23	Forecast at completion	Additional Fund Required
Water Supply	127 Dargaville Water Supply	15014 Dargaville watermain renewals	\$ 521	-\$ 521	Project not required - moved to 15015 Maungaturoto Renewal	\$ -	\$ -	\$ -
Water Supply	161 Ruawai Water Supply	13037 Ruawai Watermain Renewals	\$ 364	-\$ 364	Project not required - moved to 15015 Maungaturoto Renewal	\$ -	\$ -	\$ -
<b>Water Supply</b>	<b>154 Maungaturoto Water Supply</b>	<b>15015 Maungaturoto water renewals</b>	<b>\$ 156</b>	<b>\$ 885</b>		<b>\$ 1,041</b>	<b>\$ 1,041</b>	<b>\$ -</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Open Spaces & Facilities	166 District Parks & Reserves	14001 Carpark Sealing	\$ 277	-\$ 277	Project not required - moved to 15002 Kaiwaka Rangiora Rd park	\$ -	\$ -	\$ -
Open Spaces & Facilities	166 District Parks & Reserves	12113 Rangiora Rd Reserve development	\$ 38	-\$ 38	Project not required - moved to 15002 Kaiwaka Rangiora Rd park	\$ -	\$ -	\$ -
		TIF Funding	\$ -	-\$ 301	Tourism Inf Funding available	\$ -	\$ -	\$ -
<b>Open Spaces &amp; Facilities</b>	<b>166 District Parks &amp; Reserves</b>	<b>15002 Kaiwaka Rangiora Rd park development</b>	<b>\$ 206</b>	<b>\$ 616</b>		<b>\$ 822</b>	<b>\$ 1,072</b>	<b>\$ 250</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Wastewater	280 Mangawhai WW development	13028 Extend Reticulation (8years)	\$ 227	-\$ 140	Project partially required - moved to 15032 - PS-K Pipeline Diversion	\$ 87	\$ 87	\$ -
Wastewater	280 Mangawhai WW development	11041 Upgrade Existing Reticulation	\$ 433	-\$ 433	Project not required - moved to 15032 - PS-K Pipeline Diversion	\$ -	\$ -	\$ -
Wastewater	280 Mangawhai WW development	15009 Additional Pump station - Mangawhai	\$ 300	-\$ 300	Project not required - moved to 15032 - PS-K Pipeline Diversion	\$ -	\$ -	\$ -
<b>Wastewater</b>	<b>280 Mangawhai WW development</b>	<b>15032 - PS-K Pipeline Diversion</b>	<b>\$ -</b>	<b>\$ 873</b>		<b>\$ 873</b>	<b>\$ 873</b>	<b>\$ -</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Wastewater	207 Mangawhai Wastewater Scheme	15006 Additional pumpstation (growth)	\$ 300	-\$ 300	Project not required - moved to 14038 Capacity upgrades to 5000 connections	\$ -	\$ -	\$ -
<b>Wastewater</b>	<b>280 Mangawhai WW development</b>	<b>14038 Capacity upgrades to 5000 connections</b>	<b>\$ 254</b>	<b>\$ 300</b>		<b>\$ 554</b>	<b>\$ 554</b>	<b>\$ -</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Open Spaces & Facilities	166 District Parks & Reserves	14004 Parks hard surface renewals	\$ 77	-\$ 56		\$ 21	\$ 21	\$ -
<b>Open Spaces &amp; Facilities</b>	<b>166 District Parks &amp; Reserves</b>	<b>11004 &amp; 14004 Parks and Reserves - hard surface renewal programme</b>	<b>\$ 21</b>	<b>\$ 56</b>		<b>\$ 77</b>	<b>\$ 77</b>	<b>\$ -</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
		TIF Funding	\$ -	-\$ 113	Tourism Inf Funding available	\$ -	\$ -	\$ -
<b>Open Spaces &amp; Facilities</b>	<b>172 District Public Toilet Amenities</b>	<b>14007 Pahi toilet replacements</b>	<b>\$ 240</b>	<b>\$ 113</b>		<b>\$ 353</b>	<b>\$ 850</b>	<b>\$ 497</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Wastewater	202 Dargaville Wastewater Scheme	14030 Darg WW Gwth - 1800m WW line Bower St to Awakino area to PS1	\$ 50	-\$ 50		\$ -	\$ -	\$ -
<b>Wastewater</b>	<b>202 Dargaville Wastewater Scheme</b>	<b>14029 Dargaville growth design</b>	<b>\$ 55</b>	<b>\$ 50</b>		<b>\$ 105</b>	<b>\$ 105</b>	<b>\$ -</b>
			\$ -	\$ -		\$ -	\$ -	\$ -
Stormwater	246 Mangawhai Stormwater Scheme	15010 Mangawhai SW Secondary Flow path to outlet 38 North Ave	\$ 26	-\$ 26		\$ -	\$ -	\$ -
Stormwater	246 Mangawhai Stormwater Scheme	14046 Mangawhai SW Taranui culvert capacity upgrade	\$ 40	-\$ 40		\$ -	\$ -	\$ -

Stormwater	246 Mangawhai Stormwater Scheme	14045 Mangawhai SW - 130-138 Mwhai Heads - flow & culvert upgrade	\$ 221	\$ 66		\$ 287	\$ 287	\$ -
			\$ -	\$ -		\$ -	\$ -	\$ -
Open Spaces & Facilities	172 District Public Toilet Amenities	11153 Maungaturoto Toilet	\$ 58	\$ 356	Budget already approved	\$ 414	\$ 414	\$ -
Open Spaces & Facilities	122 Mangawhai Public Toilet Amenities	11024 Public Toilets - Mangawhai Heads Road Alamar	\$ -	\$ 273	Budget already approved	\$ 273	\$ 273	\$ -
District Leadership, Finance and Internal	105 Economic Development	PGF112 Pouto Wharf	\$ 2,340	\$ 265	Budget already approved	\$ 2,605	\$ 2,605	\$ -
Open Spaces & Facilities	122 Mangawhai Public Toilet Amenities	12002 Public Toilets - Lincoln Street	\$ 35	\$ 250	Budget already approved	\$ 285	\$ 285	\$ -
Water Supply	161 Ruawai Water Supply	12001 WTP and reservoir	\$ 227	\$ 187	Budget already approved	\$ 414	\$ 414	\$ -
Open Spaces & Facilities	100 Kai Iwi Lakes - Camp Ground	11055 Kai Iwi Camp Ground Facilities	\$ 198	\$ 141	Budget already approved	\$ 340	\$ 340	\$ -

# Meeting Calendar for 2022-2025 Triennium

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Jason Marris, Interim Chief Executive

## Purpose | Ngā whāinga

To seek approval for the meeting principles, and for the dates set for the first year of the 2022-2025 triennium noting that dates can be changed and meetings added if required as per Standing Orders.

## Executive summary | Whakarāpopototanga

This report outlines the meeting principles applied to the Terms of Reference of council committees confirmed at the November 2022 Council Meeting.

A draft meeting calendar is provided for 2023, aligning with the principles. There are some minor changes and additions arising from clashes in the principles, mostly related to December as Christmas reduces the number of meeting dates available.

While the calendar is for standing committees, briefings for key topics such as District Plan Review and Long Term Plan, have also been noted for the convenience of Elected Members.

## Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Approves the Meeting Date Principles as outlined in this report
- b) Approves the meeting calendar (**Attachment A**) noting that dates can be changed and meetings added if required
- c) Agrees that the General Manager Engagement and Transformation be delegated to re-schedule meetings if required and to determine venues and times, in consultation with the respective Chairpersons.

## Context | Horopaki

Under Clause 19(6), Section 7 of the Local Government Act 2002, Council can adopt a schedule of meetings that 'may cover any future period that the local authority considers appropriate' and that it 'may be amended'.

Elected Members (and the public) have traditionally found it easier to see a full schedule annually for clarity and transparency. It is understood that being scheduled so far in advance, that changes may be made, and that additional extraordinary or emergency meetings can still be scheduled as per Standing Orders.

## Discussion | Ngā kōrerorero

### Number of committee meetings

At the 30 November 2022 meeting, Council adopted the committee structure and terms of references for each committee. The terms of reference outline the number of ordinary meetings to be held. Awaiting further decision from Council in February 2023, the Pou Tu o Te Rangi and Harding Committees are not included in this meeting schedule

## Principled approach

The meeting calendar is drafted using principles to set dates rather than selecting dates 'ad hoc'. This approach is recommended as it provides consistency for the public and allows better forward planning by staff and elected members. Some exceptions have been made when statutory holidays occur around regular dates.

## Meeting date principles

Please note changes underlined below to those brought to the Council Briefing on 7 December.

- **Council briefings and workshops:** Monthly. 1st Wednesdays, February—December
- **Council meetings:** Monthly. Last Wednesdays February—November, 2<sup>nd</sup> or 3<sup>rd</sup> Wednesday in December
- **Elected member development days:** Last Wednesdays in January, 2nd to last Wednesdays every second month, March—November
- **Audit, Risk and Finance Committee:** Quarterly. 2nd Thursday – March, June, September, first Thursday in December
- **Awards and Grants Committee:** As required by council policy. This committee processes grants and has a staggered approach according to the funding rounds.
  - **Community Grants:** application period in April, committee meeting in June
  - **Citizens Awards:** application period in May, committee meeting in July
  - **Mangawhai Endowment Lands Account (MELA):** application period in July, committee meeting in September
  - **Reserve Contributions Contestable Fund:** application period in June/July, committee meeting in September
- **District Licensing Committee:** As required.
- **Economic Development Committee:** Every two months. 2nd Tuesdays – February, April, June, August, October, December
- **Mangawhai Community Park Governance Committee:** Three times per year. 3rd Mondays, February, July, November
- **Taharoa Domain Governance Committee:** Three times per year. 2nd Tuesdays, March, July, November
- **Remuneration and Development Committee:** Quarterly. 2nd Wednesdays - March, June, September, first Thursday in December
- **Raupo Drainage Committee:** Three times per year. 3rd Thursdays - ~~February, May, August, October~~. Changed schedule to align with Terms of Reference – three times per year, 3<sup>rd</sup> Thursdays: March, July, November
- **Council Briefings (other topics):** (eg: District Plan Review, Long Term Plan). Monthly. 2<sup>nd</sup> or 3<sup>rd</sup> Wednesdays, 3<sup>rd</sup> Thursday in September and the 2<sup>nd</sup> Monday in December.

It is important to note that the Governance staff will work with colleagues around Northland to avoid clashes with other commitments such as Joint Committees, Northland Forward Together and LGNZ meetings.

## Options

**Option 1:** Approve the existing principles and calendar noting that they can be changed, and that the General Manager Engagement and Transformation be delegated to re-schedule meetings if required and to determine venues and times, in consultation with the respective Chairpersons.

The delegation has been used in the past to enable the flexibility and speed often required in these instances. An example of a date change that has occurred in the past, was a lack of quorum realised in advance of the calendar schedule enabling quick rescheduling to ensure the meeting could still go ahead. This removes the bureaucracy of having to bring meeting dates back to council for approval and would significantly impact progress in the committees affected.

**This is the recommended option.**

**Option 2:** Amend the principles or dates, in accordance with the terms of reference of the committee.

Noting that any changes to the terms of reference would require a new decision.

## Financial implications

Nil - meeting costs will be met using existing budgets as allocated in the Annual Plan and Long Term Plan.

## Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

## Next steps | E whaiake nei

On confirmation of the principles and dates, Governance will publish the Meeting dates through the KDC website and extend calendar invitations to all committee members, including all elected members who are not members of the committee as optional.

## Attachments | Ngā tapiritanga

	Title
A	Draft KDC Governance Meeting Calendar 2023







# **Urgent decision-making over the Christmas-New year recess period 22-23**

**Meeting:** Kaipara District Council  
**Date of meeting:** 14 December 2022  
**Reporting officer:** Jason Marris, Interim Chief Executive

## **Purpose | Ngā whāinga**

To agree urgent decision-making delegations over the 2022/2023 Christmas-New Year period.

## **Executive summary | Whakarāpopototanga**

To ensure business continuity, it is important to be able to make urgent decisions over the Christmas-New Year recess period. This report is seeking delegation to any two of either the Mayor or Deputy Mayor and one other Councillor to make any urgent decisions on behalf of the Council during the recess period. If the matter is a major one, an extraordinary or emergency meeting of the Council will be called.

The report also delegates the authority for Councillor Lambeth to declare a state of local emergency in the event the Mayor is unavailable.

## **Recommendation | Ngā tūtohunga**

That Kaipara District Council:

- a) Delegates the power to make urgent decisions on behalf of the Council or its committees between the last scheduled meeting in December 2022 and the first meeting of Council or relevant committee in 2023 (the recess period) to any two of either the Mayor or Deputy Mayor and one other Councillor.
- b) In the event the Mayor and Deputy Mayor are both absent at the same time, delegates the power to make urgent decisions on behalf of Council or its committees over the recess period to any two Councillors.
- c) Notes that if it is considered necessary, an extraordinary or emergency meeting of the Council will be called during the recess period.
- d) Notes that if the urgent decision-making process is exercised, the instances will be reported to the first Council or relevant committee meeting, in 2023.
- e) Delegates Councillor Lambeth the authority under section 25(5) of the Civil Defence Emergency Management Act 2002 to declare a state of local emergency in the event the Mayor is unavailable over the recess period.

## **Context | Horopaki**

The last Council meeting for decision-making is on 14 December 2022, with the first decision-making meeting scheduled for 22 February 2023. The recess period is the period after the 14 December Council meeting and the first meeting of Council or relevant Committee in 2023.

Over this recess period, there is a need to have a decision-making process in place to respond to any urgent matters in a timely and effective manner.

This report seeks delegation for any two of either the Mayor or Deputy Mayor and one other Councillor to make urgent decisions over the recess period. This is the same delegation that was

agreed by the previous Council for the prior years' recess period. In previous years, the delegations have not been required.

The process will only apply to urgent decisions, with non-urgent decisions to be referred to the appropriate committee or full council meeting scheduled in 2023.

If the matter is a major one, an extraordinary or emergency meeting of the Council will be called, and the urgent decision-making provision won't be used.

Any urgent decision will be reported to the first scheduled meeting of Council or the appropriate Committee in the new year for information.

The Mayor of the Kaipara District has the power to declare a state of local emergency. However, it is recommended that Council also delegate the authority to Councillor Lambeth (the Council appointed civil defence representative) should the Mayor not be available.

## **Discussion | Ngā kōrerorero**

### **Options**

**Option 1:** Approve the delegation as presented. This will allow business continuity to occur for any unforeseen urgent decisions as needed and is the recommended option.

**Option 2:** Not approve the delegation. This would mean that for any urgent decision an extraordinary or emergency council meeting would need to be called during the recess period.

## **Significance and engagement | Hirahira me ngā whakapāpā**

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

## **Next steps | E whaiake nei**

If approved, the process will be implemented and used for any urgent decisions that are required during the recess period.

## Recommendation to move into Public Excluded

### Session 14 December 2022

The following recommendation is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 and 7 of the Act.

On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it is recommended:

#### Recommendation | Ngā tūtohunga

a) That the following items are considered with the public excluded:

Report Name	Reason for excluding the public	Grounds for excluding the public
<b>Chief Executive recruitment</b>	Formal interviews must be conducted at this meeting. Confidentiality is required to ensure that due diligence and process is followed for candidates and the Council.	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); (Section 7(2)(i))