

Appendix G

Summary of responses to Patuharakeke Cultural Effects Assessment

Ruakaka Racecourse Plan Change – Responses to Cultural Effects Assessment

A Cultural Effects Assessment was commissioned from the Patuharakeke Te Iwi Trust Board. The issues raised in that Cultural Effects Assessment Report, are summarised below. Proposed responses, for the purposes of discussion, take the form of recommended amendments to the proposed plan change, no change or response outside the district plan. The Cultural Effects Assessment report could be appended to the Section 32 report for the Private Plan Change Request, or alternatively substantial parts of it could be incorporated directly into the Section 32 report.

1. *Only one dune lake exists now which should be a matter of significance to the region and nation (4.1).* Natural character and ecological values of the dune lake are recognised in the policies and provisions. The significance of the dune lake can be further emphasised in the objective REE 1.3 (4).
2. *This planning framework could provide opportunities for engagement, collaboration and partnerships going forward (4.4).* Outside the district plan, a private plan change can serve as a model for WDC engagement, partnership and collaboration with Tangata Whenua.
3. *Questionable for existing heavily-modified coastline to be used to justify further modification (and cumulative effects) of an area that still maintains some very significant natural characteristics (5.1).* The proposed plan change is applied to the modified parts of the coastline, where the racecourse currently exists, and proposes to manage the environmental effects of re-development.
4. *Concern at potential to affect groundwater quality and the dune lake (5.1).* Management of stormwater and use and demand for water on the racecourse site is required, and the plan change policies include a requirement for on-site stormwater attenuation and re-use. The site will have reticulated services, but the quality of groundwater and the dune lake re-charge need to be included in the management plan infrastructure and stormwater management effects assessment.
5. *Stormwater management should be required for Precinct D (Grandstand and parking) (5.1).* The management plans are required for all precincts except Precinct A (Infield) REE 1.5 (1).
6. *Concern at possibility of on-site wastewater disposal (5.1)* On-site wastewater systems can be deleted from the plan change subdivision policies, as the ocean outfall is proceeding REE 6.2 (5).
7. *Opportunity for residents to support Coastal Cultural Health Index monitoring of the health of mahinga kai (5.1).* It is an opportunity, although if development does proceed, much of it will occur before residents come to live here. This opportunity can be provided outside the district plan.
8. *Concern at proximity of the REE to the Ruakaka Wildlife Refuge, and potential effects of noise, lighting, pets and human disturbance (5.1).* These concerns have been

acknowledged in policies and management plans. The REE plan change also allows for a compact settlement, rather than extensive land use.

9. *The requisite policies and the section 32 report differ on when education and involvement in the management of the wildlife refuge (5.1).* The management plans need to address the timing and scope of resident education and involvement in the wildlife refuge. It would be appropriate to have such a programme developed before substantial development proceeds, and to be available for new and prospective residents (REE 1.5).
10. *Concern at visitor accommodation and retirement units as a potential threat to wildlife (5.1).* There is a need for management of the wildlife refuge to limit potential threats from visitors, and more broadly to raise awareness of the significant natural values of the area. This is likely to require improved signage.
11. *Extension of ban on cat and dog pets to include mustelids, for clarity (5.1).* Such a ban was considered useful in earlier drafts of the plan change, however there are other species that are also rarely kept as pets, but can predate birdlife and compete for food. Ferrets are now unlawful pets unless being bred for export and with the consent of the Minister of Conservation. Stoats and weasels are not kept as pets. A ban on all pets was considered, but not considered supportable, especially in an 'equine environment'.
12. *Opportunity for residents to support a Pingao or Dune Restoration planting project (5.1) and (5.3).* It is an opportunity, and could extend for a number of years. This opportunity can be provided outside the district plan.
13. *Concern at Section 32 assessment of alternative options, cost-benefit analysis, and risks of acting or not acting (5.1).* Section 8 of the private plan change request report addresses the appropriateness of the objectives, in terms of more or less activity, and different land uses. The do-nothing option threatens the viability of the racecourse, and prompted the initiation of the Masterplan and Plan Change. The other alternative was the Council purchasing the land for recreation, which would need to be initiated by the Council itself. The opportunities and constraints on development and the potential effects on the environment are considered as costs and benefits.
14. *Concern about 'stepped' development process (5.1).* The plan change needs to rely on a stepped process, from overall strategy through zoning to establish the opportunity for future development and change. There is no actual development proposed at this stage, nor a development partner present or available. The management plan and resource consent technique used in the Whangarei District Plan is appropriate for the implementation of the zone strategy.
15. *Concern that certain housing types are more appropriately located elsewhere (5.1).* The more intensive housing types should be able to occur in more locations than just Marsden Town Centre. The racecourse and coastal location will provide a sense of place where people want to live, and such development will complement the wider range provided across Ruakaka and Marsden Point. Compact new settlements are an efficient use of land, can help support some small scale commercial activity and community facilities/social

infrastructure, and may provide a stronger focus to community identity than extensive suburban development.

16. *The assessment has no discussion on actual and potential cultural effects of development (5.2).* Patuharakeke Te Iwi Trust Board was consulted earlier in the process, and was commissioned to provide the cultural effects assessment.
17. *The Assessment of Environmental Effects states that no sites of significance to Maori are located within the boundaries of the racecourse site (5.2).* There are no specifically known sites within the racecourse site, and Patuharakeke Te Iwi Trust Board has not previously raised such a possibility. The racecourse and grandstand are also relatively modified landforms within the dune system. The management plans should include management and protection of the cultural heritage landscape relating to the racecourse and, to a certain extent, its surrounds. The DoC reports record prolific archaeological sites along the coastal margins, and the Cultural Heritage Effects Assessment required as part of the Management Plan would investigate that possibility in relation to the racecourse vicinity, and also in relation to any management proposals for public access to the coast across the dunes. The policies could allow for the provision of cultural education and programmes as they do for education and advocacy around the protection of wildlife. The proposed plan provisions do not prevent such activities from occurring, but should be more explicit as they are with events and recreational activities.
18. *A cultural heritage monitoring programme should be required by the management plans or requisite policies and some matters are suggested for inclusion (5.2).* The management plans are the appropriate instrument for some of the detailed requirements of cultural heritage monitoring, and particularly a cultural constraints mapping exercise. They should also contain reminders of the other requirements outside the district plan. For example, the Historic Places Act contains requirements for consultation with Tangata Whenua in archaeological assessments, and the discovery of Koiwi Tangata / human remains and artefacts. Other parts of a cultural heritage monitoring programme could be pursued outside the district plan change. These include protocols for tikanga and contractor training, recognition and Waahi Tapu registration, interpretation programmes and the establishment of memorial artefacts, building opening rituals, options for a cultural centre on the site, and apprenticeships or scholarships. The Whangarei District Plan could end up diminishing some of these by including them for the Ruakaka Racecourse and not for the remainder of Whangarei District.
19. *Concern at potential height, bulk and design of buildings (5.2).* For Precinct D – Eastern (grandstand), as well as specific existing buildings being used as locators for proposed height limits, the policies also limit the extent of building visible from reference points on the beach. For Precinct B – Southern, the policies allow for up to 10 per cent of the precinct to be built up to 14 metres (four storey), subject to effects assessment through the discretionary activity resource consent process. As there is no current development proposal the plan provisions are a guide and set out the process for assessment.
20. *Ongoing involvement and participation of Patuharakeke (6).* WDC is required to consult with Tangata Whenua in the preparation of its plans. The management plan requirement

should clarify the development process involvement of Patuharakeke, in relation to a specific development proposal and can extend beyond the scope of the district plan. However, the relationships between Patuharakeke and WDC and between the WRC and Patuharakeke should not be determined by a rule or policy in a district plan.

21. *Concern at Council roles as adviser to developer and regulatory authority (6).* The Council is involved in, and required to be involved in, planning for the future use and development and protection of all land within its district. This involvement becomes more 'hands-on' with places of significant public interest, such as community, recreational, environmental, economic and strategic importance. The Ruakaka Racecourse and its surrounds is one of these. The Council is also required to make decisions on requests for private plan changes, and would be expected to use independent advice and decision-making processes.

22. *Environmental case law has established a hierarchy of adverse effects management. If at all possible effects must be avoided. If this is not possible then they must be remedied, and where they can be neither avoided nor remedied then adequate mitigation measures are required.* Ministry for Environment states that case law is divided rather than settled. The RMA lists them in order but does not give pre-eminence to 'avoid'. It is considered that a choice can be made to mitigate an adverse effect rather than avoid it. The list of 'avoid', 'remedy' and 'mitigate' actions included in the Cultural Effects Assessment appears as a directive, including that the number of dwellings and their heights should be 'avoided' as adverse effects. The management plans proposed for the development of the racecourse, with the addition of cultural heritage effects, allow for proposals to be considered and for adverse effects to be appropriately mitigated or remedied or avoided. In the NZCPS 2010 there are specific instances where 'avoid' is the only option available.

Appendix H

**Whangarei District Council Infrastructure and Services
Commentary and Rough Order of Costs for Development
Contributions for Infrastructure**

Memorandum



To Simon Weston – Group Manager Infrastructure and Services
From David Snowdon – Group Planner Infrastructure and Services
Copies Paul Waanders – Policy and Monitoring Manager
Helen Duncan – Senior Policy Planner

Subject **Ruakaka Racecourse Master Plan: Infrastructure & Services Commentary**

Date 7 March 2011

Ref **PC113**

1.0 INTRODUCTION

1.1 In September 2010 the Whangarei District Council endorsed, in principle, the Ruakaka Racecourse Master Plan. A plan change to the Whangarei District Plan is required to enable the Master Plan to proceed.

1.2 On 17 February 2011 the plan change development process commenced with a workshop with stakeholders. At this workshop, it was acknowledged that only minor work had been undertaken in relation to the provision of public infrastructure that may be required to be in place, in order to enable the Master Plan to proceed.

1.3 In the absence of this information, it remains difficult to balance the costs and benefits of the Master Plan as proposed. For this reason, it has been suggested that Council's Infrastructure and Services Group give consideration to Rough Order Costs [ROC] associated with the proposal and any anticipated impacts on, or of, Development Contributions [DC's]. The comments that follow are the result of that consideration.

1.4 Assumptions:

- For the purposes of this ROC, it is assumed that, at full development of the Master Plan, there will be 300 domestic dwellings and a conference/hotel facility consisting of 100 beds
- Conference/Hotel facility assumed to equate to 25 HUE's based on a comparison with an existing Whangarei hotel of 115 beds (Further analysis would be required to confirm).
- Where ROC's have not been provided, this may be the result of insufficient information being currently available to determine the extent of required infrastructure.
- Requirements for waste water, water supply and stormwater arising from existing activities on site do not form part of the following considerations.
- DC calculations are based on the value as at the present time, with those DC's currently being capped. DC values are open to alteration in the future, including uncapping all, or part of, future growth related Council infrastructure capital works.
- Due to the on site stormwater management approach adopted by Council, there are currently no DC charges for stormwater
- No consideration has been made in respect potential 'staging' of the development
- No consideration has been made in relation to additional provision of services related to equine/commercial activities (e.g. high water use for managing stabling)
- Figures are GST exclusive.

1.5 Disclaimers:

1. The following calculations can not be construed as being comprehensive and no person should rely upon the assumptions and results contained herein.
2. This Memorandum is not a Development Contribution assessment and can not be relied upon as such.

2.0 DEVELOPMENT CONTRIBUTIONS



Development contributions anticipated for a development of this scale, approximate as follows:

	<u>Rate</u>	<u>Quantity</u>	<u>Amount</u>
Residential			
Parks/Reserves - Valuation Req'd	0.29%	1	??
Transport/Roading	\$7,111.00	300	\$2,133,300.00
Water Supply - Bream Bay	\$7,000.00	300	\$2,100,000.00
Waste Water - Coastal	\$19,866.00	300	\$5,959,800.00
Facilities/Activities - Parks	\$1,600.00	300	\$480,000.00
Libraries	\$500.00	300	\$150,000.00
Hotel/Conf			
Transport/Roading	\$7,111.00	25	\$177,775.00
Water Supply - Bream Bay	\$7,000.00	25	\$175,000.00
Waste Water - Coastal	\$19,866.00	25	\$496,650.00
Total (excl. Parks & GST)			\$11,672,525.00

3.0 PUBLIC INFRASTRUCTURE

In addition to DC's, further public infrastructure will be required to be constructed to enable the Master Plan to be serviced.

3.1 Water Supply

The extension of the main from both Tamure Place and Peter Snell Drive to reticulate the development (i.e. a watermain loop will be required). The cost associated with this would be determined by any fire-fighting provisions required for the conference/hotel facility (e.g. increased pipe diameter/pressure may be required).

In a worst case scenario, requiring significant fire fighting capacity, it may be necessary to upgrade the water main back to Marsden Point Road, a distance of 1.3Km, at an additional cost of approx. **\$400,000**.

3.2 Storm Water

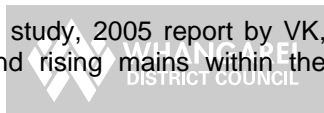
There are a number of ways that infrastructure for management of increased stormwater runoff could be provided:

- A detention pond (or several) may be required to service increased impervious areas although, due to the site's location at the lower reaches of the catchment, this may not be necessary.
- On site attenuation at individual lot levels through provision of attenuation tanks, underground storage or similar may also be required
- Soakage at lot or site level, or a combination thereof (dependent on ground and aquifer conditions)
- Any of the above options may require discharge for larger flow to the receiving environment, most likely the Ruakaka River, which would involve designed overland flow paths and/or reticulation from the site to the river, depending on the chosen option
- Ocean discharge (likely to be expensive both in consenting and engineering terms)
- The extent of public infrastructure provision (as opposed to private provision) is likely to be extremely limited

For these reasons, it is impractical to provide any cost estimates until further engineering feasibility studies have been undertaken. Council's EES document will apply in this regard.

3.3 Waste Water

The following ROC, based on the Ruakaka System upgrade-Feasibility study, 2005 report by VK, does not include internal reticulation nor any new pump stations and rising mains within the development to a discharge point in the existing reticulation.



No upgrades have been assumed necessary for Sime Rd rising main to the treatment plant, however the following upgrades would be necessary.

- **Pipes:** Upgrade 225mm to 475mm gravity line adjacent to Tiki place.
Upgrade 300 to 560mm gravity adjacent to Kepa Rd
Manhole replacements
- **New Pump Station:** Rising main to the existing manhole (90mm)
Pump station + emergency storage
Sime Rd PS upgrade

Total: \$2,950,675

3.4 Roothing

Construction of new public road will be required to enable the site to be serviced appropriately. ROC's associated with the construction of roading to public standard (including lighting, stormwater, footpaths etc) are anticipated between **\$300,000 – \$500,000/km**. Such costs are independent of location (i.e. whether access is obtained from Temure Place or from the current end of Peter Snell Drive. Dependant on final route selection, an additional roundabout may be required to be constructed at the intersection of Temure Place and Peter Snell Drive at an additional **\$200,000**

3.5 Public Infrastructure Provision - Totals

A summary of the rough order of costs associated with the provision of public infrastructure is highlighted in the following table, noting the assumptions made throughout.

<u>Infrastructure Type</u>	<u>Estimated Cost of additional Public Infrastructure</u>
Water Supply	\$400,000.00
Stormwater	\$0.00
Wastewater	\$2,950,675.00
Roothing	\$500,000.00
TOTAL	\$3,850,675.00

4.0 CONCLUSIONS

4.1 In concluding a summary of rough order costs associated with the provision of public infrastructure required by the development of the Ruakaka Racecourse Master Plan, the following table applies, noting the assumptions made throughout:

<u>Provision</u>	<u>Estimated Cost</u>
Public Infrastructure	\$3,850,675.00
Development Contributions	\$11,672,525.00
TOTAL	\$15,523,200.00

4.2 Notwithstanding this total, it remains important to note that none of the required public infrastructure projects (as identified at 3.0 above) are currently incorporated within the DC framework and further, that no consideration has been made in respect potential 'staging' of the development.