

# Appendix E

Assessment - Proposed Regional Policy Statement for Northland 2012

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## Proposed Northland Regional Policy Statement

The Proposed Regional Policy Statement for Northland was notified in September 2012. It covers the issues of the operative Regional Policy Statement and goes further in some areas, for example giving effect to the NZ Coastal Policy Statement 2010. The District Plan is required to have regard to the Proposed Regional Policy Statement.

The PRPS includes issues, objectives and policies relating to fresh and coastal water, indigenous ecosystems and species, economic wellbeing, regional form, issues of significance to tangata whenua, natural hazards, and natural character, features/landscapes and historic heritage (Section 2).

The following sections lists key outcomes from the PRPS and comments on their implications for the plan change first for objectives, then policies.

### Objectives

#### *Objective 3.1 Safeguard water and its ecosystems*

*Safeguard the life-supporting capacity, ecosystem processes, and indigenous species including their associated ecosystems of fresh and coastal water, in sustainably managing:*

- (a) The use and development of land, and of discharges of contaminants; and*
- (b) The taking, using, damming, or diverting of freshwater.*

For Ruakaka Racecourse, the significant dune lake, wildlife refuge and coastal reserves are outside the racecourse site, but all have an influence on how the racecourse land is to be used. Potential impacts of modification and disruption of ecosystems are to be avoided and mitigated (2.1). The stormwater management of the site will need to ensure that contaminants are not discharged to waterways, and that the dune lake recharge is monitored and maintained, through low impact design of the stormwater systems.

#### *Objective 3.2 Protect outstanding freshwater bodies and wetlands*

*Protect outstanding freshwater bodies and the significant values of wetlands.*

#### *Objective 3.4 Maintain and improve water quality*

*Maintain the overall quality of Northland's fresh and coastal water while:*

- (a) Progressively improving the overall trophic level status of the region's lakes and overall abundance and diversity of macroinvertebrate species in the region's rivers;*
- (b) Progressively reducing sedimentation rates in the region's estuaries and harbours toward more natural levels;*
- (c) Progressively improving microbiological water quality at popular contact recreation sites, recreational and cultural shellfish gathering sites, and commercial shellfish growing areas to minimise risk to human health;*
- (d) Protecting the potable water quality of the region's aquifers; and*
- (e) Optimising economic productivity through improved water quality for irrigation, stock drinking and aquaculture.*

### *Objective 3.5 Safeguard indigenous ecosystems and species*

*Safeguard and, where practicable, enhance the life-supporting capacity of Northland's indigenous ecosystems, and contribute to the reduction in the overall threat status of regionally and nationally threatened species.*

Indigenous ecosystems and species include the dune system and the dune lake. The Ruakaka River wildlife area is home to a number of threatened and at risk species. Key pressures include elevated levels of fine sediments and nutrients in water bodies, invasive weeds and pest species, including domestic cats and dogs, and impacts from human activity.

### *Objective 3.6 Enabling economic wellbeing*

*Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.*

### *Objective 3.8 Promote regionally significant infrastructure*

*Support infrastructure that, through its use of natural and physical resources, significantly enhances the environmental, social, economic, and cultural wellbeing of Northland.*

The PRPS sees economic wellbeing in Northland limited in part by residential development compromising productive activities and regionally significant infrastructure (Issue 2.3). In the case of Ruakaka Racecourse, residential development integrated with the horse-related functions compatible and a means of protecting the racecourse as regionally significant infrastructure. With the recent closure of Dargaville Racecourse this is the only full-scale racecourse remaining in Northland.

### *Objective 3.12 Regional form*

*Northland has sustainable built environments that effectively integrate infrastructure with land use development, and have a sense of place, identity, a range of compatible residential and mixed use opportunities, and transport choices.*

Regional form issues include urban design and the benefits of planned growth (Issue 2.4). Well designed development on the racecourse land has the ability to add to a more sustainable built environment by offering a mix of residential and commercial activities that will have a strong sense of place.

### *Objective 3.13 Tangata whenua role in decision making*

*Tangata whenua kaitiaki role is recognised and provided for in decision making over natural and physical resources.*

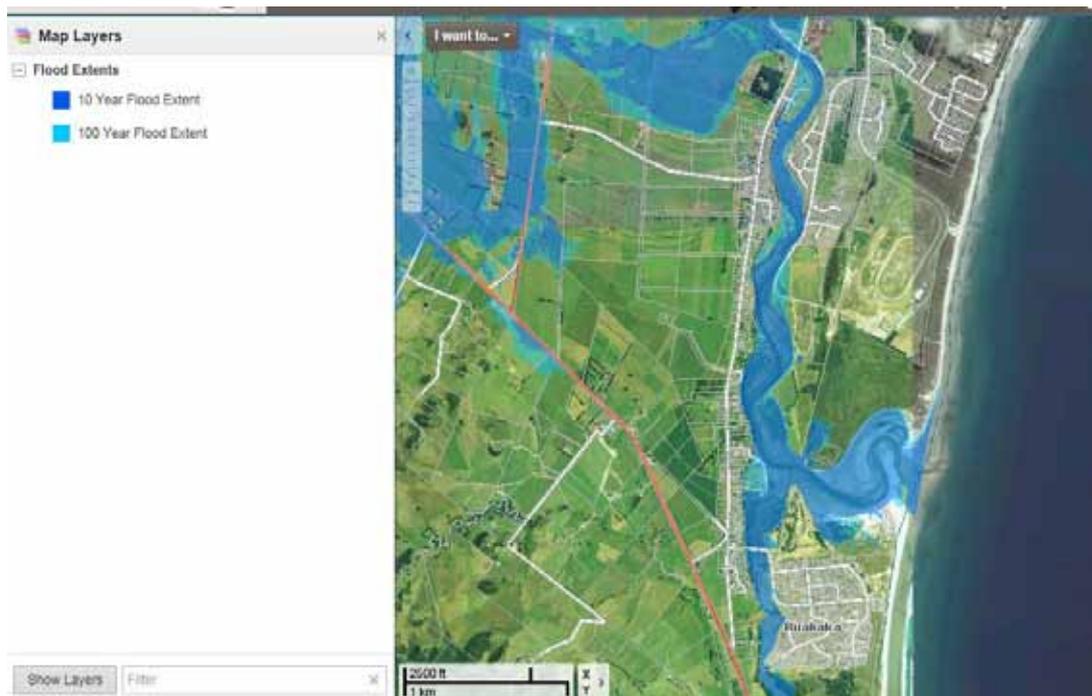
Issues of significance to tangata whenua include participation in resource management (Issue 2.5) and natural and physical resources (Issue 2.6). A Cultural Effects Assessment was requested from Patuharakeke Trust Board, to begin identifying issues and how they could be addressed in changes to land use and development. This led to recommendations on planning and development processes for the plan change, including a more detailed cultural effects assessment at the Management Plan stage when development and change are proposed.

### Objective 3.14 Minimising natural hazard risk

The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, infrastructure, and our regional economy are minimised through:

- (a) Increasing our understanding of the potential influence of climate change on natural hazard events;
- (b) Becoming better prepared for the consequences of natural hazard events;
- (c) Minimising inappropriate development in hazard-prone areas;
- (d) Not compromising the effectiveness of existing defences (natural and man-made); and
- (e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development.

Natural hazards include flooding and coastal erosion and inundation. The maps within the PRPS do not show the racecourse land to be affected by the 100 year or 10 year flooding event (see below). The Tonkin and Taylor investigation into coastal erosion and inundation is referenced elsewhere within this report (Attachment 1 to the Masterplan report which itself is Attached at F to this section 32 report). The "Surfer's Gap" blow out adjacent to the northeastern corner of the site is of concern and DoC and WDC have been considering how to address this particular area.



Screenshot from Northland Regional Council website: Flood mapping

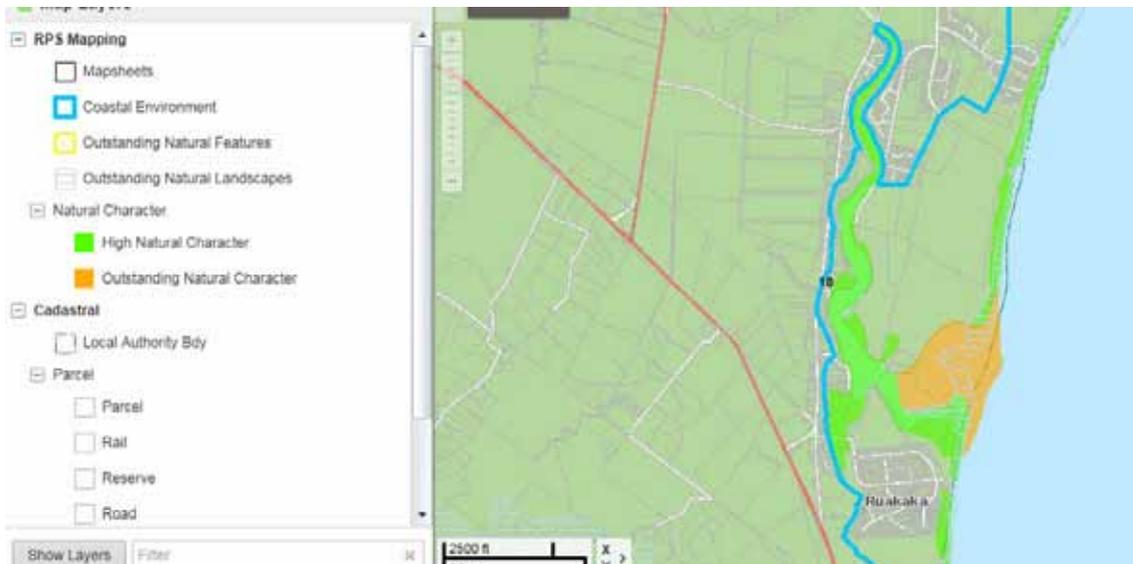
### Objective 3.15 Protecting natural character, features/landscapes and historic heritage

*The following natural and physical resources are identified using consistent approaches across Northland:*

- (a) High and outstanding natural character areas of the coastal environment and margins of freshwater bodies;*
- (b) Outstanding natural features and landscapes; and*
- (c) Historic heritage (including areas, sites, and structures of cultural significance) that contributes significantly to Northland's distinctive character and sense of identity.*

*The important values of these resources are to be protected from inappropriate subdivision, use and development, and appropriate development that contributes to sustainable management is to be enabled.*

The racecourse site is within the coastal environment but is not mapped by the PRPS as having areas or features of outstanding or high natural character within it. See map extract below. However land use change and re-development would need to be controlled to ensure it does not adversely affect the adjacent Outstanding and High Natural Character areas.



*Screenshot from Northland Regional Council website: Coastal environment and Natural character areas*

## Policies

The following section lists relevant policies and comments on their implications for the plan change.

#### 4.5.2 Policy – Enabling use and development

*Recognise and enable use and development (including subdivision) that achieves Objective 3.5, including activities that:*

- (a) Actively manage pests, particularly where it will complement an existing pest control project or programme;*
- (b) Improve water quality and/or environmental flows and/or levels in over-allocated freshwater bodies;*
- (c) Improve water quality in parts of the coastal marine area where it is having significant adverse effects;*
- (d) Restore natural processes in the coastal environment;*
- (e) Restore or create natural habitat, including ecological corridors, for biological values identified under Policy 4.5.1; and*
- (f) Protect either through legal mechanisms or physical works biological values identified under Policy 4.5.1.*

Re-zoning of the racecourse land needs to include provision for management of activities that could have adverse impacts on the surrounding environment, including pest management, avoid of predators, management of human behaviour, stormwater management, dune restoration, and protection against edge effects around the perimeter of the racecourse land. These can be included in the plan change.

#### 4.6.1 Policy – Identification of the coastal environment, outstanding natural features and landscapes and high and outstanding natural character

*The areas identified in the Regional Policy Statement - Maps will form Northland's:*

- (a) Coastal environment;*
- (b) High and outstanding natural character areas within the coastal environment; and*
- (c) Outstanding natural features and outstanding natural landscapes.*

*Note: Existing plan provisions will not apply within these mapped areas until such time as the maps are included in the relevant district or regional plan by way of a plan change. Such plan changes will include associated objectives, policies and methods as needed to give effect to this Regional Policy Statement.*

As noted, the racecourse site is within the coastal environment, but does not contain areas of high and outstanding natural character or outstanding natural features.

#### 4.6.2 Policy – Refining the coastal environment boundary

*The district councils may review the landward boundary of the coastal environment as identified on the Regional Policy Statement – Maps and amend district plan maps accordingly under either of the following circumstances:*

- (a) Where the landward boundary of the coastal environment traverses an urban, industrial or residential area (land that is zoned for or dominated by residential, business or industrial development); or*
- (b) On consent applications where:*
  - (i) The activity is within 50m of the coastal environment boundary;*
  - (ii) Qualified and experienced expert evidence is provided in support of the review;*
  - (iii) The criteria applied in the review will be consistent with the methodology used to generate the mapped coastal environment boundary (councils can provide this); and*
  - (iv) Costs of the review are paid by the applicant.*

*Note: If the coastal environment boundary moves and an area no longer within the*

*coastal environment is also mapped as having high or outstanding natural character, then the natural character boundaries will also need to move so that natural character is only mapped within the coastal environment.*

The proposed coastal environment has some subdivided and developed settlements, including Ruakaka, within it. It is not proposed that the current private plan change request includes moving the coastal environment boundary off the racecourse land.

#### 4.7.1 Policy – Protecting outstanding natural character and outstanding natural features and landscapes

*In the coastal environment, avoid adverse effects of subdivision, use, and development on the values, elements and characteristics which contribute to:*

- (a) Outstanding natural character;*
- (b) Outstanding natural features; and*
- (c) Outstanding natural landscapes.*

Subdivision, use and/or development on the racecourse land will not directly involve areas of outstanding natural character, outstanding natural features, or outstanding natural landscapes. However, subdivision, use and development do need to be controlled for their potential adverse effects on adjacent land with those values.

#### 4.7.2 Policy – Maintaining the integrity of features/landscapes, natural character and heritage resources

*Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects (including cumulative effects) on the values, elements, and characteristics which contribute to:*

- (a) *Outstanding natural features and outstanding natural landscapes outside the coastal environment;*
- (b) *Natural character and landscape values in the coastal environment, particularly:*
  - (i) *Wetlands, rivers, lakes, and estuaries, and their margins;*
  - (ii) *Undeveloped or largely undeveloped natural landforms between settlements, such as coastal headlands, peninsulas, ridgelines, and dune systems;*
  - (iii) *Areas of high natural character; and*
  - (iv) *Remnants of indigenous coastal vegetation outside urban areas and settlements, particularly where these adjoin water bodies and/or can be linked to establish and/or enhance ecological corridors;*
- (c) *Natural character of wetlands, rivers, lakes, and their margins outside the coastal environment; and*

- (d) *Significant historic heritage features that have been identified in plans in accordance with Policy 4.6.3 and Method 4.6.4(2).*

Subdivision, use and/or development on the racecourse land will not directly involve areas of outstanding natural character, outstanding natural features, or outstanding natural landscapes. However, subdivision, use and development do need to be controlled for their potential adverse effects on adjacent land with those values.

#### 4.8.1 Policy – Promote active management

*In plan provisions and the resource consent process, recognise and enable activities and land uses that contribute to the active management, restoration, maintenance, public use, and enjoyment of landscape, natural character, and heritage features; and promote these where the activity will achieve or has achieved one or more of the following:*

- (a) *Plant and animal pest control, particularly where it will complement an existing pest control project/programme;*
- (b) *Soil conservation/erosion control;*
- (c) *Water quality improvement, particularly in areas targeted for water quality enhancement;*
- (d) *Re-vegetation with indigenous species, particularly in areas identified for natural character improvement;*
- (e) *Maintenance of heritage features (including sites, buildings and structures);*
- (f) *Improvement of public access to and along the coastal marine area or the margins of rivers or lakes; or*
- (g) *Exclusion of stock from waterways.*

The mix of activities enabled by the proposed plan change, subject to the management plan processes in establishing those, can contribute to the active management, restoration, maintenance, use, and enjoyment of the landscape. In particular, it can involve plant and animal pest control, some re-vegetation and water quality improvements, and improvement of public access to and along the coastal marine area.

#### 4.8.3 Policy – Improving natural character

*In the coastal environment, promote the improvement of natural character in the following areas:*

- (a) Wetlands, rivers, lakes, estuaries, and their margins;*
- (b) Undeveloped or largely undeveloped natural landforms between settlements, such as coastal headlands, peninsulas, ridgelines, and dune systems;*
- (c) Areas of high natural character;*
- (d) Land adjacent to outstanding natural character areas, outstanding natural features, and outstanding natural landscapes;*
- (e) Remnants of indigenous coastal vegetation outside urban areas and settlements, particularly where these are adjacent to water or can be linked to establish or enhance ecological corridors; and*
- (f) The areas or values identified in Policy 4.5.1 (protecting significant areas and species).*

The plan change can propose improvement of the natural character of the racecourse site edges, from buffer planting with indigenous species, for protection and enhancement of the natural character of adjacent land.

#### 5.1.1 Policy – Planned and co-ordinated development

*Development should be located, designed, and built in a planned and co-ordinated manner which:*

- (a) Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;*
- (b) Is guided by the 'Regional Urban Design Guidelines' in Appendix 2;*
- (c) Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects of development;*
- (d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;*
- (e) Should not result in incompatible adjacent land uses and avoids the potential for reverse sensitivity; and*
- (f) Maintains or enhances the sense of place and character of the surrounding environment.*

*Note: in determining the appropriateness of subdivision and development (including development in the coastal environment – see next policy), all policies and methods in the Regional Policy Statement must be considered, particularly policies relating to significant natural areas, landscape, heritage, natural hazards, indigenous ecosystems and fresh, and coastal water quality.*

Planning for the racecourse re-zoning has been consistent with many of the contents of the Regional Form and Development Guidelines, particularly through the Masterplan exercise, and the proposals for enabling the inclusion and expansion of social infrastructure that the racecourse facilities can provide. Re-development and land use change is intended to occur in an integrated manner, and implemented through the application of the Environment, Policy framework and Management Plan approach of the Whangarei District Plan. Although a high standard of urban design would have been expected of any re-development, it is considered appropriate to include a requirement for an Urban Design Assessment as part of the Management Plan stage, when actual development is being proposed.

### 5.1.2 Policy – Development in the coastal environment

*To enable people and communities to provide for their wellbeing through appropriate subdivision, use, and development that:*

- (a) Consolidates built development within or adjacent to existing coastal settlements and avoids sprawling or sporadic patterns of development;*
- (b) Ensures sufficient development setbacks from the coastal marine area to avoid: increasing the risk of harm to people and property from coastal hazards<sup>7</sup>; to maintain and enhance public access, open space, and amenity values; and to allow for natural functioning of physical processes;*
- (c) Takes into account the values of adjoining or adjacent land and established activities (both within the coastal marine area and on land); and*
- (d) Ensures adequate infrastructure services will be provided for the development.*

The Ruakaka Racecourse Plan Change consolidates built development in clustered precincts, while maintaining the racetrack and infield as largely open space and low intensity development. It is complementary to the current extensive suburban development occurring on all adjacent private land in the vicinity. The development types enabled by the plan change will take into account the values of adjacent land, and ensure efficient infrastructure provision.

### 5.1.3 Policy – Avoiding the adverse effects of new use(s) and development

*Avoid the adverse effects, including reverse sensitivity effects of new use and development, particularly residential development on the following:*

- (a) Primary production activities in primary production zones (including within the coastal marine area);*
- (b) Commercial and industrial activities in commercial and industrial zones;*
- (c) The operation, maintenance or upgrading of existing or planned<sup>8</sup> regionally significant infrastructure<sup>9</sup>; and*
- (d) The use and development of regionally significant mineral resources<sup>10</sup>.*

The issue of adverse effects, including reverse sensitivity, is intended to be managed by integrated development of the precincts identified within the racecourse land. Residential development in conjunction with continued and expanded horse-related and public event activities is to occur in an integrated manner, rather than one established activity resisting the arrival of another. The residential activity is being proposed at the same time as, and to co-exist with, the enhanced event uses and broadened horse-related range of activities. Reverse sensitivity issues arise when a new or re-establishing use brings unanticipated adverse effects, or finds it cannot co-exist with the existing land uses.

### 5.3.1 Policy – Identifying regionally significant infrastructure

*The following criteria will be used to determine whether infrastructure is regionally significant:*

- (a) The infrastructure is designed in a way so that its beneficial impacts are felt over the longer term; and*
- (b) The infrastructure positively impacts (directly or indirectly) across multiple localities and communities or across jurisdictions by:*
  - (i) Providing a utility service to support essential public services, large industry or business uses, or high numbers of domestic users – particularly if it is difficult to repair or replace the service with an alternative if it is compromised; or*
  - (ii) Providing a significant social or community facility.*

*A list of regionally significant infrastructure is included as Appendix 3.*

The racecourse is considered to constitute a significant social and community facility, particularly now that it is the only fully-functioning racecourse in Northland. There is substantial community support for the racecourse and its related horse and social event attributes to continue and be enhanced.

### 5.3.3 Policy – Appropriateness of regionally significant infrastructure

- (1) *New regionally significant infrastructure proposals are considered appropriate if:*
- (a) *The proposal is consistent with Policies 4.7.1, 4.7.2, and 4.5.1;*
  - (b) *The proposal does not result in established water quality limits or environmental flows and/or levels being exceeded (refer to Policy 4.2.1);*
  - (c) *Damage to and/or loss of the relationship of iwi with ancestral sites, sites of significance, wahi tapu, customary activities and/or taonga is avoided or otherwise agreed to by the affected iwi or hapū; and*
  - (d) *Except where 1(a)-(c) applies, the adverse effects of the proposal are temporary and reversible (for example the placement of monitoring equipment) or where to the extent that is practicable, adverse effects are remedied and mitigated.*
- (2) *If the matters above cannot be achieved, new regionally significant infrastructure proposals (particularly those in accordance with any national policy statement) may still be considered appropriate if:*
- (a) *Alternatives to the proposal have been assessed and proven to be impractical or have greater adverse effects;*
  - (b) *Adverse effects which cannot be avoided, remedied, or mitigated will be adequately offset with positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and/or resource affected; and*
  - (c) *A monitoring programme sufficient to identify any emerging environmental, cultural, or social concerns is required as a condition of consent and an*

*adaptive management regime (including modification to the consented activity) is used to respond to such concerns.*

- (3) *Notwithstanding (1) and (2) above, the operation, maintenance, and minor upgrading of established regionally significant infrastructure will be provided for.*

The operation, maintenance, and upgrading of established regionally significant infrastructure will be provided for. The racecourse constitutes regionally significant infrastructure, and its viability is seen to depend on enhancement and broadening of the horse-related and event activities, as well as enabling other integrated activities on the land, such as residential development, community and hospitality facilities.

### 7.1.1 Policy – General risk management approach

*Subdivision, use, and development of land will be managed to minimise the risks from natural hazards by:*

- (a) *Seeking to use the best available information, including formal risk management techniques;*
- (b) *Minimising any increase in vulnerability due to residual risk;*
- (c) *Aligning with emergency management approaches (especially risk reduction); and*
- (d) *Ensuring that natural hazard risk to private vehicular access routes for proposed new lots is considered when assessing subdivision proposals.*

*Where there is uncertainty in the likelihood or consequences of a natural hazard event, decision-makers will adopt a precautionary approach.*

The plan change preparation has considered natural hazards, and requires the restoration of the dune environment adjacent to the northeastern corner of the racecourse. A second road access to the site is highly

desirable if more intensive use is proposed. A detailed traffic effects assessment is required, as part of the Management Plan, at the time an actual development is proposed, and would establish the desirability and possibly necessity for such a secondary access.

**7.1.7 Policy – Climate change and development**

*When managing subdivision and development in Northland, climate change will be included in all estimates of natural hazard risk, using the latest Ministry for the Environment mid-point/baseline predictions.*

**7.2.1 Policy – Role of natural features**

*Recognise and protect natural systems and features that contribute to minimising the impacts of natural hazard events on the built environment.*

The Tonkin and Taylor report, referenced in this plan change Section 32 report and attached within the Masterplan Background Report (Attachment 9), dealt with the natural hazard risk, including climate change. For the racecourse land, dune restoration at the “surfers gap” adjacent to the northeastern corner of the site is also possible.