

UNDER the the Resource Mangement Act 1991 ("RMA")
IN THE MATTER of Proposed Whangarei Urban and Services District Plan
Change: Hearing PC – 88I

**STATEMENT OF EVIDENCE OF VENESSA FRANCES ANICH ON BEHALF
OF CRAIG JOHNSTON, DAVID FORD AND ROBYN FORD
SUBMITTER 164**

PLANNING EVIDENCE

7 November 2019

1. Summary Statement

- 1.1 My full name is Venessa Frances Anich.
- 1.2 I am a Senior Planner at Lands and Survey Ltd in Whangarei. I have been in this position since January 2019.
- 1.3 I am providing planning evidence on behalf of the Craig Robinson, David Ford and Robyn Ford submission (#164) made on the Proposed Whangarei Urban and Services District Plan Change ("**the Proposed District Plan**" or "**PDP**") insofar as they relate to this hearing.
- 1.4 Primarily, this evidence relates to the rezoning of rural production land to 'medium density residential'. The land in question is identified for residential use within the Marsden Point - Ruakaka Structure Plan area and is located adjacent to the Future Living Environment Overlay in the Operative District Plan.
- 1.5 I also discuss the Strategic Direction for this zone to the extent that it applies to this relief sought.
- 1.6 The summary of the key points of my evidence is as follows:
 - (a) There generally is alignment and agreement on the appropriateness for land in this location to be zoned Medium Density Residential, as shown in the s42A Report, the Future Living Environment Overlay and the Marsden Point - Ruakaka Structure Plan.
 - (b) The difference in opinion is centred on the level of demand and therefore timing of rezoning.
 - (c) Insufficient release can cause perverse outcomes of pressure for land development in inappropriate zones, and issues of housing affordability. Excessive release can cause abnormal patterns of development, disjointed locations of development, and inefficient provision of infrastructure;
 - (d) In my opinion, now is the most effective and efficient time to release additional residential land supply in Marsden because:

- (i) It is the fastest growth suburb in Whangarei District over the last 5 years;
 - (ii) Transformational projects are being indicated in this location, including the relocation of Ports of Auckland to Marsden; and
 - (iii) The parcels of land sought to be rezoned are of a size that lend themselves to comprehensive and planned residential land development.
- (e) The submitter supports the s42A Report's recommendation for Section 29 Blk VII Ruakaka SD to be rezoned medium density residential. The submitter seeks that Section 30 Blk VII Ruakaka SD, which is located immediately adjacent to Section 29, is included in this area for rezoning. References to the 'site' in this evidence is therefore the area of Section 30 only.
- (f) The rezoning of the site is adjacent to the proposed urban area, therefore it achieves the aim of consolidation. In addition, services are able to be extended to this site, with mechanisms available to implement any required infrastructure extensions or upgrades.

2. Introduction

- 2.1 My name is Venessa Anich. I am a Senior Planner at Lands and Survey Ltd in Whangarei. My professional experience spans 20 years, where I have worked as a planner in local government and in consultancies. I hold a Masters of Regional and Resource Planning from the University of Otago, New Zealand. I am an intermediate member of the New Zealand Planning Institute.
- 2.2 I have experience in a variety of Resource Management Act processes. I was Planning and Policy Manager at Kaipara District Council during the review of the Kaipara District Plan. I led the Council Team on this review project from pre-notification through to resolution of appeals.
- 2.3 In my current role, I process and project manage land use and subdivision applications on behalf of Far North District, and I act for private clients seeking land use and subdivision consents across Whangarei and Kaipara District, and Auckland City. I project manage

subdivisions from concept to titles issued. I support whanau and hapu with District Plan requirements for papakainga projects in Far North, Whangarei and Kaipara Districts. I am familiar with the operative Whangarei District Plan provisions and their implications for site development.

2.4 I am providing planning evidence on behalf of the Craig Robinson, David Ford and Robyn Ford submission matters made on the rezoning of the site to medium density residential in the Proposed District Plan insofar as they relate to this hearing.

2.5 I confirm that I have read the submission by Craig Robinson, David Ford and Robyn Ford in relation to the Proposed District Plan. I am familiar with the national, regional and district planning documents relevant to the Proposed District Plan.

2.6 It is acknowledged that the submission from Whangarei District Council Planning seeks to change the zone names to align with National Planning Standards and this is supported in the Council s42A Report. To provide clarity in this evidence, the zone names have been referred to as notified.

3. Code of Conduct

3.1 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. I have also read and am familiar with the Resource Management Law Association / New Zealand Planning Institute "Role of Expert Planning Witnesses" paper. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

4. Scope of Evidence

4.1 This evidence addresses Craig Robinson, David Ford and Robyn Ford submission point (164.1) on the rezoning their site (Section 30 Blk VII Ruakaka SD) to medium density. The s42A Report addresses this matter in Part 8 Zoning Submissions (pages 135-143).

5. Consistency with Strategic Documents

- 5.1 The Marsden Point – Ruakaka Structure Plan 2008 was adopted by Whangarei District Council in November 2009. The Structure Plan is principally a strategic policy document. It examines the strategic options available for future development in the study area (p.3).
- 5.2 In section 3.4 of the Structure Plan (p.53) it states that the aim of the Structure Plan is to recognise *“that a balanced urban area activity profile is the most sustainable settlement form, and from this, introducing a significant and broader-ranging residential component into almost all of the area’s remaining available and developable land”*. This aim is consistent with the proposed rezoning. A map showing the Structure Plan intent for the site was included in the primary submission.

6. Strategic Direction

- 6.1 Paragraph 64 of the s32 Report for PC148 (p.17) states that *“the [Strategic Direction] chapter seeks to achieve consolidation of growth and development in and around the [urban area], and integrate the provision of infrastructure with zoning decisions, consistent with the direction of 30/50”* (Whangarei District Growth Strategy – Sustainable Futures 30/50). This is a central theme which traverses the entire plan change package with a focus on the consolidation of growth and development. This is important for the site as the proposed release of residential land on the site is consistent with the aim of consolidated growth and development adjacent to an urban area, as identified in this higher order strategy document.
- 6.2 Paragraph 22 of the s32 Report for PC881 states that *“the proposed primary Living Zones seek to provide a more targeted and direct policy direction. The proposed primary Living Zones maintain a gradation approach to the density of development enabled based on historic zoning and development patterns, but also a future-focussed approach to promoting urban intensification in appropriate locations”*. The proposed Medium Density Residential zoning of the site is supported by this statement as the site represents an appropriate location for urban consolidation that is supported by the Structure Plan.

- 6.3 Objective SD-O3 (as notified) provides direction to accommodate future growth through urban consolidation around existing urban areas. The proposal to rezone the site to medium density residential is consistent with Objective SD-O3. The site is located in proximity to the Ruakaka local shopping centre, while the Marsden Primary Centre is located 1.5 kms (approx.) south of the site, and the Marsden Cove Waterways development complex is located 1 km (approx.) north of the site. The property located immediately north of the site has an overlay of Future Living Environment, and therefore the use as rural production land was signalled to change. The s42A Report also supports this change, recommending rezoning to Medium Density Residential. This evidence seeks the extension of this change to the next block of land adjoining to the south, being the site (Section 30). Medium density residential zoning would better achieve Objective SD-O3 as it will provide for consolidated growth, being growth adjoining an existing urban area.
- 6.4 Policy SD-P6 (as notified) seeks to avoid inappropriate urban expansion by enabling development where it is planned and coordinated, and where appropriate infrastructure and services can be provided. This policy also reinforces the above Objective SD-O3, requiring any new urban development to be consolidated within or adjacent to urban areas, and avoiding sprawling into the rural area.
- 6.5 Regarding ensuring that urban development of the site is planned and coordinated, this is able to be achieved through the subdivision resource consent process. With regard to the infrastructure and services, the s42A Report has identified some limitations, however there are ways to address constraints with infrastructure, which I cover in Table 5. Based on this, it is my opinion that the proposed medium density residential zoning of the site is consistent with Policy SD-P6.
- 6.6 Policy SD-P8 (as notified) seeks to provide appropriate housing and business capacity through zoning land where development is feasible and is either serviced with development infrastructure or funding for development infrastructure is identified in the Long Term Plan (LTP). The site is flat, and the Marsden Primary Centre is located south of the site. The Marsden Cove Waterways development is located north of the site. The majority of the land immediately to the east of the site is zoned Industrial and is currently being developed into Business sites. Therefore,

in the foreseeable future it is reasonable to conclude that development on the site is feasible, given the surrounding land use and development. While the site is not currently serviced by three waters infrastructure, it is feasible that these services will be extended to include the site. This is addressed in Table 5.

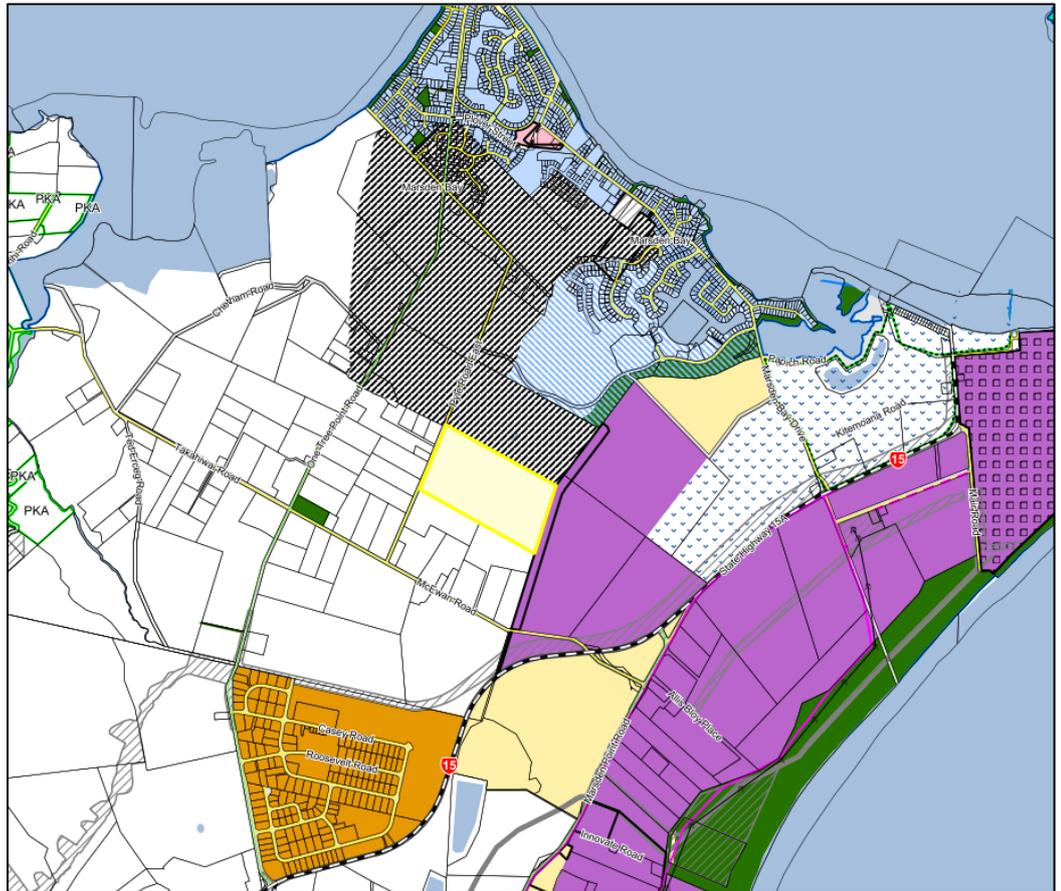
6.7 The Whangarei District Council LTP 2018-2028 identifies some key projects for funding, but it is clear that there needs to be flexibility applied to the criteria in SD-P8(2) on whether funding for development infrastructure is identified in the LTP. Generally, reticulated infrastructure is provided for in the LTP, and the funding needed to service the site can be appropriately sourced through development contributions and rates without needing to do an amendment to the LTP. Therefore, it is my opinion that the proposed rezoning to medium density residential can be appropriately funded through the mechanisms identified in the LTP (i.e development contributions and rates). Therefore, the rezoning sought is consistent with Policy SD-P8.

6.8 Policy SD-P31(1) (as notified) sets a list of criteria to address appropriate locations for medium density residential zoning. This list reflects the criteria identified in Table 5 in the section 32 report which was addressed in the primary submission and included below. These criteria for establishing the suitability of the site to be zoned medium density residential can be split into two categories: first, the site context including surrounding character, reverse sensitivity and proximity to local commercial centres and; second, the physical characteristics of the site including roading, site servicing, natural hazards and versatile soils. These criteria as addressed in the evidence below, are intended to support the original assessment of Table 5 in the primary submission.

7. Site Suitability for rezoning

7.1 In my opinion, it is most efficient and effective for the direction set out in the Structure Plan and Future Living Environment Overlay to be implemented now, and the release additional land for residential use to occur. The s42A Report offers this as an option, recommending the rezoning of land adjoining the site to the north (Section 29) that is currently identified as Future Living Environment. This recommendation is supported.

7.2 In addition to the recommendation in the s42A Report, it is my opinion that the next block of land (Section 30 Blk VII Ruakaka SD) to the south that adjoins the Future Living Environment can also be rezoned to medium density residential. This is because of the level of demand, the surrounding pattern of development, and the large size of this block of land (34ha). The map below shows the extent of the additional block (coloured yellow) that should be included in the rezoning.



7.3 The question of demand and timing is addressed in the paragraphs below.

7.4 The surrounding pattern of development to the north and east of the site supports the proposed change to medium density residential on the site. North of the site will be a medium density residential zone, based on the recommendations in the s42A Report. There is Industrial zoned land to the east of the site. All of these land holdings are large (36.5ha, 55ha and 43ha respectively). This makes these adjoining sites easier to develop comprehensively as they have not been fragmented into smaller titles in multiple individual ownership. As the site is a large land holding (34ha), it is my opinion that it is appropriate to include it in the rezoning to medium density residential to enable comprehensive development.

7.5 Table 5 below provides comments on the appropriateness of rezoning the site to medium density residential, using the Medium Density Residential Zone zoning criteria from the s32 report for PC88I. The criteria are also consistent with Policy SD-P31(1).

TABLE 5: Proposed Medium-Density Residential Zone Zoning Criteria

Criteria	Comment about appropriateness in relation to the site
Are contiguous with Living Zones in Whangarei City and Marsden Point/Ruakaka	The site is located in Marsden Point/Ruakaka, and will be contiguous with the Medium Density Residential zone on Section 29 if the recommendation in the s42A Report is accepted. Therefore, I am of the opinion that the site is consistent with this criterion.
Are not identified as hazard prone	The site does not have soil instability mapped. There is a portion of the site mapped as flood susceptible. However, this potential hazard can be mitigated through appropriate engineering mechanisms at the time of building. It is also recognised that Natural Hazards will be more fully addressed through a subsequent schedule 1 process. Therefore, I am of the opinion that the site is consistent with this criterion.
Do not comprise Outstanding Natural Landscapes or Features or significant indigenous vegetation	The site does not contain any identified Outstanding Natural Landscapes or Features or significant indigenous vegetation. Therefore, the site is consistent with this criterion.
Will not materially increase the potential for reverse sensitivity effects	A Medium Density Residential zoning will have no greater potential for reverse sensitivity than what would exist for Section 29, which is recommended to be rezoned Medium Density Residential in the s42A Report.

Criteria	Comment about appropriateness in relation to the site
	Therefore, I am of the opinion that the site is consistent with this criterion.
Sufficient infrastructure to accommodate medium density development	<p>The s42A report states that there is some servicing issues. It is considered that there is sufficient infrastructure provisions located both at the Marsden Primary Centre and also at the Marsden Cove Waterways development to accommodate the proposed development density on the site. It is feasible to extend the existing infrastructure to service the site. The burden of funding these extensions or upgrades can be managed through a variety of user pays methods Council has, including development contributions, targeted rates, and asset upgrades undertaken by the developer as part of development.</p> <p>The rezoning of land to medium density residential would enable development, but would still require that any future development go through the scrutiny of a Council subdivision process. Any outcome from this process would need to comply with the Council's Environmental Engineering Standards or provide a reasonable alternative to achieve the same outcome.</p> <p>Therefore, I am of the opinion that this site is consistent with this criterion.</p>
Do not comprise highly versatile soils	The proposed rezoning of the site to Medium Density Residential will not comprise highly versatile soils as the land is of marginal quality. While currently used for grazing, the land has low production value. The s42A Report states that the area has class 3 Land Use Capability soils in the New Zealand Land Resource Inventory. According to the Land Use Capability Survey Handbook (page 56) Class 3 land has moderate physical limitations to arable use, which restrict the choice of crops and

Criteria	Comment about appropriateness in relation to the site
	<p>intensity of cultivation and/or make special soil conservation practices necessary.</p> <p>Therefore, it is my opinion that the site is consistent with this criterion.</p>
<p>Are in proximity to commercial centres and public/active transport routes</p>	<p>The Port provides a nexus for transport routes, and represents a key infrastructure component to the Whangarei traffic network. The Marsden Primary Centre and Marsden Cove Waterways development are proposed to accommodate many shops and eateries to support the high number of visitors, workers and tourists.</p> <p>Therefore, the site is consistent with this criterion.</p>

8. Demand and Timing

- 8.1 The s42A Report is supportive of the suitability of the site for medium density residential use. There currently are some servicing issues, but I am of the opinion that these issues are able to be addressed, and possible revenue streams are available to fund any extensions and upgrades that are needed. The issue appears to be centred around the level of demand, and in particular, the timing of the release of more medium density residential land.
- 8.2 The last census showed that the Marsden/Ruakaka area had the highest growth rate of all the areas in Whangarei District. This is due in part to its strategic location between Whangarei City and Auckland City, the job opportunities in the vicinity, and the attractiveness of the natural environment.
- 8.3 The potential for growth and demand for land in the Marsden area is high especially with the possibility of the Port's expansion and the Marsden Rail project. The Ministry of Transport has recently (October 2019) released the Upper North Island Supply Chain Strategy, which includes options for moving the port activities in Auckland. That report recommends that Port Auckland's activities are relocated to North Port.
- 8.4 The Marsden Area is fortunate to be in a position to offer planned residential land supply, with guidance from the Structure Plan, to support

these large regionally significant projects. While the Ministry of Transport's Report is not yet government policy, it signals future intent. Importantly, the corridor is Marsden Rail Link designated and construction ready. Due to the significant length of time between District Plan reviews, it is most efficient for the District Plan to make provisions and capacity for this transformational change now.

- 8.5 To restrain the release of medium density residential land could pressure development into inappropriate zones, or compound the affordability issues in the residential market. Striking the right balance is the aim. In my opinion, given the historical level of growth, and the future potential, it is appropriate to rezone the site to medium density residential now.

9. Conclusion

- 9.1 It is supported to rezone the property adjoining the site to the north to medium density residential, as recommended in the s42A Report.
- 9.2 It is appropriate to extend the medium density residential rezoning to the site (Section 30 Blk VII Ruakaka SD) as the timing is right given the level of demand from recent growth and future transformational change indicated in this area.
- 9.3 It is feasible to extend the infrastructure to service the site, and the cost of this extension can be addressed through the subdivision process, development contributions and rates.
- 9.4 The site meets all the criteria set out in the s32 Report and Policy SD-P31(1) for medium density residential zoning.
- 9.5 The proposed extension of medium density residential zoning is consistent with the surrounding pattern of development.
- 9.6 The relief sought will achieve the strategic goals of consolidation.

Venessa Frances Anich

7 November 2019